Powers, Michael

From: Idaho Dowsers <idahodowsers@gmail.com>
Sent: Monday, March 07, 2016 6:07 PM
To: Powers, Michael
Cc: W Dan Prater Michigan Dowsers; W Michelle Hicks Nova Scotia Dowsers; Idaho Dowsers
Subject: Complaint - American Society of Dowsers
Attachments: PastedGraphic-1.pdf; ATT00001.htm; IMG_3598.PNG; ATT00002.htm

Michael,

Thanks for discussing with me last week a possible investigation of the American Society of Dowsers. Collecting documents for you has been like pulling people from a moving train. I hope this information is complete enough for you to start your review. To better understand the "subsidiary" relationship of the Water for Humanity Fund® (WFHF) to the American Society of Dowsers (ASD), see below selected sections of the ASD Policies and Procedures Manual for WFHF.

On March 4th the American Society of Dowsers (ASD) froze the Water for Humanity Fund® and ordered an audit. As I discussed with you, ASD Trustees have been talking about freezing the fund for several weeks because of conflicts between the WFHF Committee and the ASD Executive Committee, but when Dan Prater, WFHF Committee Chairman resigned as Chair on February 27th they used his resignation as a published reason to freeze the fund (see his letter below). Now that it is frozen, Dowsers.org, the official ASD website, is still showing Water for Humanity on their front page as one of several funds to donate to. (See photocopy below).

ASD has outstanding WFHF disbursements to grantees that have not yet cleared the US banking system. Further information can be provided if necessary. We are also expecting incoming funds including our 7th grant (1st grant in 2005) from one of our partner foundations, Debley Foundation for $2,500 that is to be matched with our funds of $1,056 to fund the grantee for *the second phase of the household ceramic water filter (50) project in northern Tanzania to be conducted in a joint effort of Aid Tanzania and Kiretono Resource Center.* This proposal was submitted in January of 2016 for their board meeting March 4th .

Issues related to the word "fiduciary" appears to be the President's justification for the audit focused solely on WFHF. The following letter from the new President, Marty Lucas, dated March 4th spells out their agenda.

From: AMERICAN SOCIETY OF DOWSERS <asd@dowsers.org>

Subject: A message from our President

Date: March 4, 2016 at 3:04:22 PM PST

To: [redacted]

Reply-To: asd@dowsers.org

From the Desk of the President;

Our By-Laws require that we conduct an annual internal audit. The audit committee has been formed and will be reviewing our records. When the audit is complete, they will report their findings to the Board of Trustees

and the members. This is an excellent opportunity for us to review our business practices and see where we need to improve. Neither the officers nor the Board of Trustees will interfere in any way with the work of the audit committee or their findings.

With that in mind, any member that has documents, records or property that the audit committee should be aware of, is asked to contact the committee at ASDauditor@dowsers.org.

Recently the Water for Humanity Fund Chairman resigned. In his resignation he accused the committee of being "unable to fulfill its fiduciary responsibilities". Based upon these serious charges, all Water for Humanity Funds have been temporarily frozen, until we can determine whether there have been irregularities or not. I have asked the audit committee to prioritize their work in order to clear the reputation of the committee so their work can resume. Rest assured, should the audit reveal that the former chairman's allegations are true, we will take the necessary remedial actions. Likewise, should they prove false.

The ASD Board of Trustees currently has NO evidence that there are fiduciary issues concerning how the committee handles funds. However, when the chairman of a committee makes allegations such as these we must take them at face value and investigate. With full cooperation from the committee and the membership, we expect the audit to be completed quickly with only a minimal interruption of the committee's work. Regular audits are a part of good business practices. We will use the report from this one to help make us a stronger and better organization.

Please note that the celebration of the 25th anniversary of WFHF at convention will go on as planned.

Thank you,

Marty Lucas

President, ASD

American Society of Dowsers, Inc.

PO Box 24

184 Brainerd St

Danville, VT 05828

802-684-3417

www.dowsers.org

This proclaimed reason to freeze the fund was based upon the following resignation letter from Dan Prater, Chairman of the Fund Committee. He resigned as the Chair but remains on the Committee.

27FEB2016

Board of Trustees and Members of the American Society of Dowsers,

I have been the Water For Humanity Fund® Committee Chairman for the past 9 months and would like to take this opportunity to update our fellow members and donors so you are aware of recent events that have severely impacted my Committee's ability to manage your charitable Fund and some of the decisions our Committee have been forced to make in response.

As you may know, the ASD Trustees decided it was in their best interests to fire Steve Herbert effective after the June 2016 convention in Sarasota Springs, New York. Steve has been in a volunteer capacity for nearly 20 years and this was to be the 25th Anniversary of the Water For Humanity Fund®. Steve, having kept the Fund afloat through some rough times became a pillar in which ASD was able to gain footing again. My Committee is thankful and considers itself extremely fortunate to have met, worked closely with, and even been inspired-by Steve's dedication to water resources and a lifelong service to those less fortunate.

Between your member donations and Steve's procurement of grants along with the hard work of past and present committees the Fund has received and dispersed donations that exceed $380,000. The Fund has also had the honor of memorializing many Sky Dowsers over the years with water wells in their name. Some of these Sky Dowsers include; Lynn Monroe, Brett Wentworth, David Pitkin, Robert Conary, Andy Bray, Rene Lincoln and Frank Hoenig. The donations from your Fund have changed the lives of tens of thousands of people all over the world and the membership has a lot to be proud of.

Recently under protest and in the best interests of preserving the Fund, our Committee attempted to change the minds of the Trustees and allow them the opportunity to rescind their decision based on the lack of due process, unjustifiable accusations and the extremely detrimental effect this has on sustaining the Fund in the future.

Our Fund Committee has followed every relevant policy and procedure written by ASD and has never in the past 9 months been contacted by any Trustee with questions related to any wrongdoing, negligence or violations of any kind. Steve has never been given an opportunity to defend himself and there was no due process followed from any document, including the Policy and Procedures Manual, By-Laws, Roberts Rules of Order, or the State of Vermont prior to his forced dismissal. Our Committee has heard the accusations they have levied against Steve and they are a complete Jest and without merit.

To the detriment of both ASD and the Fund they publicly voted not to rescind their decision. The Trustees have also publicly made false written and orally libelous statements in an attempt to discredit Steve and now more recently our Committee. We would like to ensure the membership that these written accusations are very far from the truth and are the sole efforts of a few people's vindictive motives. There has yet to be one single piece of evidentiary support to their libelous statements. If they continue to tell their story long enough people will begin to believe it. We are here to put the rabbit back in the hat. We ask the membership to look deep into the "*Common Denominators*" of the past and present ASD troubles and see who is still in play within the Trustee ranks. These are not coincidental difficulties, these are fundamental commonalities. Sometimes the only vote we have as members of an organization is where we spend our *time* and *money*, so I advise you to spend it wisely.

Other recently non-publicized news includes; the lockout of Steve Herbert from headquarters, the removal of any and all Water For Humanity Fund® nomenclature at convention to commemorate the Fund's 25th Anniversary, purposeful muzzling of members during public meetings, secretive Trustee meetings related to PPM and By-Law changes, Trustee requests to apply a percentage of your WFHF donation directly to the ASD general fund, the forced resignation of President Adhi Two Owls as well as Trustee Richard Benishai and Janet Windsor, just to name a few newsworthy items withheld from the membership.

More recently having placed the Fund in further jeopardy the BOT discussed dismissing our entire Committee and placing the Fund in escrow indefinitely. At this juncture I now find our Committee unable to fulfil its fiduciary responsibilities due to the immobility and futile decisions made by the Board of Trustees. So it is with deep regret and a heavy heart that I now find it necessary to resign my Committee position as Chairman of the Water For Humanity Fund®, effective immediately.

Sincerely,

Dan Prater

The following additional information may be helpful to you in assessing ASDâ€™s financial mismanagement of the WFHF fund.

The WFHF Treasurer, Michelle Hicks from Nova Scotia (see above contact), reviews all financial information from emails sent to her by Lisa LaCoss, the bookkeeper at the ASD Danville, Vermont headquarters. Lisa receives all bank statements directly. Lisa receives all donations for deposit and signs all checks under $600. Kevin Oâ€™Brien, the ASD Treasurer, co-signs all checks over $600. To my knowledge, neither Lisa LaCoss, the bookkeeper, nor Kevin Oâ€™Brien, the Treasurer, are bonded. Lisa gets all statements from PayPal for donations that are made online to ASD on behalf of WFHF and other ASD designated donations. WFHF never receives a copy of the PayPal statements for independent varification. There is a history of Lisa sometimes misdepositing PayPal donations as reported by donors to our Treasurer, Michelle Hicks.

Lisa also keeps all financial information concerning WFHF on her QuickBooks software. Currently this software is configured for for-profit companies even though the software is capable of being configured for non-profits. During 2015, ASDâ€™s CPA firm, Gallagher Flynn, recommended ASD configure the software for not-for-profit reporting, however it has yet to be implemented. As a result it is difficult for us to receive requested financial data as it concerns the Fund.

ASD has ordered an unspecified and unfocused audit of WFHF of administrative matters that we believe should be directed to the ASD staff, but instead they have made unwarranted requests of various WFHF volunteers. We believe that their audit focus is a smoke screen so that they donâ€™t have to focus on the financial reporting shortfalls that have been brought to their attention. ASD headquarters has all financial information yet they are asking for all WFHF records via email without any reimbursement of any costs. Additionally, they have not made any provisions for continued oversight of daily work for the business of the Fund.

Many members believe that there is a conflict of interest between the Treasurer and the lead internal auditor, Lee Ann Potter, because the Treasurer gives free meeting space in one of his buildings to her organization. She might not be able to give an independent unbiased review since she could be at risk of loosing meeting space. She has had ethics grievances against ASD and this may also be a conflict of interest. Additionally, she intermittently posts biased opinions on social media against WFHF and pro the ASD Executive Committee.

Thank you for your attention to this matter. I look forward to working with you as need be and/or referring others to you.

Amelia â€œAmy" Loomis, MSW, CCHt
IdahoDowsers@gmail.com
[redacted]
Advisor WFHF Charitable Fund
Life Member, ASD

Relevant Water for Humanity Fund Policies and Procedures

. Detailed Procedures

2. a. ASD Headquarters Responsibility

(1) The WFHF is a **subsidiary organization** of the American Society of Dowsers, Inc.

(2) The OM shall receive all monies related to the WFHF, such funds shall be immediately deposited to the WFHF account, and a copy of each check and cash accounting record (including names and mailing addresses for each donation) shall be forwarded to the WFHF Treasurer.

â€¦â€¦.

(d) The Committee may appoint non-voting Advisors as deemed necessary and they may attend WFHF Committee meetings.

3. c. The Committee is responsible for making decisions regarding the disbursement of non-restricted funds and the timing of disbursement of restricted funds.

6. Committee Treasurerâ€™s Responsibilities

a. Receives records of all monies (including names and mailing addresses for each donation) from the ASD office.

b. Keeps appropriate financial records.

c. Writes thank you notes and written acknowledgement of monetary donations suitable for use as income tax deductions.

d. Prepares the WFHF financial statement for inclusion in the WFHF Committeeâ€™s Annual Report for presentation at the Annual Meeting and for publication in one of the ASDâ€™s official periodicals; this is in conjunction with the WFHF Secretaryâ€™s report.

e. Gives financial reports to the Committee at all three of the required meetings during each calendar year.

7. Raffle

a. To be held during the annual ASD convention utilizing donated gifts as prizes.

b. Should any ASD Conference choose to hold a Raffle or other fund-raising event, where it is not prohibited by law, for the benefit of the WFHF, the proceeds from the Raffle or other fund-raising event shall be sent to the OM as soon as possible after the end of that Conference or event. Recognition of the effort shall be announced at the Annual Meeting.

8. Raffle Chairperson's responsibilities

a. Organize and promote the WFH*F* raffle held at the Annual ASD convention.

b. Solicit volunteers, and coordinate volunteers to solicit prizes for daily raffles. Lists are to be kept of all prizes collected with each donor's name. A master list of donorsâ€™ names will be made available at the raffle table.

c. Be responsible for collecting and "holding" all prizes until the raffle.

d. Submit regular reports to all WFH*F* Committee members regarding the status of all raffle activities.

e. Coordinate volunteers to sell raffle tickets at the Annual Convention.

f. Be responsible for sorting prizes for daily raffles. All collected prizes are to be divided and assembled prior to each evening raffle.

g. Be responsible for coordinating the overall functioning of the evening raffle, including necessary volunteers to take charge of the drawings.

h. All proceeds shall be presented to the OM for deposit in the WFHF account in a timely

fashion.

i. Supply donors with a written acknowledgement of the receipt of the raffle prize donation.

9. Funds

a. Non-Restricted Funds are defined as monies donated, granted, or bequeathed to the WFH*F* for those beneficial purposes as deemed appropriate by Committee.

b. Restricted Funds are defined as monies donated, granted or bequeathed to the WFH*F* for specific purposes as designated by the donor.

c. Management of Funds

(1) All monies received for the WFH*F* shall be placed in an interest bearing savings and/or checking account separate from any non-WFH*F* accounts.

(2) An accurate record must be maintained at ASD Headquarters, and by the WFHF Treasurer, of:

(a) Donor's name and mailing address.

(b) Donor's specified intent for any personal acknowledgment.

(c) Donor's specified intent of any donation, bequest, gift, etc.

(d) Amount and/or description of contribution.

(e) Date that contribution was received.

(f) Recipients name and check number.

(g) Date and amount of transaction; reason for transaction.

(3) No donation to the WFHF may contain restrictions that limit, in any manner, the ability of the WFHF Committee to disburse any other available funds obtained from any other source.

10. Awarding of Grants

a. Each project is to be assessed individually

b. Recipientâ€™s Project Qualification

(1) Project must be located in a developing country, or an area of need.

c. Recipient's Responsibility

(1) Provide a detailed project proposal including maps and other confirming documents.

(2) Acknowledge the receipt of any funds to the Secretary of the Committee within 30 calendar days of receipt.

(3) Manage the funds and conduct the project in good faith, according to WFHF guidelines, and submit a project completion report in a timely fashion.

(4) A field liaison may serve as a representative between the WFH Committee and the recipient organization.

Powers, Michael

From: Idaho Dowsers <idahodowsers@gmail.com>
Sent: Tuesday, March 29, 2016 12:47 PM
To: Powers, Michael
Cc: W Don Black Seattle Dowsers
Subject: Re: ASD and WFHF

Yes, your comments are basically accurate. ASD Leadership and staff continues to say that the fund is frozen, yet takes donations from PayPal and other sources and presumably deposit them in the fund account.

There are several challenges to this situation.

The ASD President says the internal audit is supposed to "focus first on WFHF" but to continue with all ASD business. It is being conducted by two non-accountants, one of them without a name (we've never been told who he is) and the lead, Lee Ann Potter, a former senior intelligence officer fighting terrorism in the army who during this internal audit communicates information to the ASD trustees without asking the committee any information about the shared documents. Two additional persons who were slated for the audit have quit, one an attorney who was appalled at the intent to do a seven year audit and the expressed bias and malicious intent of Lee Ann Potter. Lee Ann boasts of her expertise in "intelligence". Many volunteers are having problems with their computers, phishing, and emails being revealed. She is a long-term friend of the treasurer and several of the trustees. Many members believe there is a conflict of interest. Additionally, because the Water for Humanity Fund committee doesn't handle monies they are afraid this is a witchhunt rather than a legitimate internal audit. Fear is palpable and many are ready to discuss with you their knowledge and experiences of mismanagement of funds and harassment. I have given your name and contact information to a few, including a retired attorney, Don Black, whom I'm copying on this email. He did not renew his membership in ASD due to his perception of illegal activities.

The new ASD President, Marty Lucas, a retired Major in the army, harrased the former President, Adhi Two Owls, until she resigned recently. Morale among members and volunteers is at an all-time low.

It feels like a lull before a storm. Most believe that the president will not transfer the Water for Humanity Fund assets. They believe he will use the findings of a biased audit as justification for keeping the fund and getting rid of all the volunteers that have been providing oversight for it. We will soon see.

In the meantime, three of us have started a new nonprofit, Earth Water Alliance, Inc., registered in Boise, Idaho. Initially this was at the demand of the new president, Marty Lucas. We will be submitting the 501(c)(3) application this coming week and then plan to have a closed session with the American Society of Dowsers Board of Directors to discuss the transfer. One of the board members lives in California, me in Idaho, and one in Vermont (a retired CPA). We have full support of the WFHF committee and many of the donors and supporters of the fund. I can send you a copy of the corporate documents.

We are hoping for the best and fearing the worst. The next few weeks will tell the tale. Many are preparing letters to you and generally want to wait until the future is clearer. They don't want a reaction from the ASD Board that would keep them from transferring the fund.

Generally, the ASD leadership (staff and trustees) have none or little nonprofit background. They have yet to reconfigure the QuickBooks for nonprofit although told to do so 5 months ago. They continue in a for-profit mentality and can't see why it is even important to change their bookkeeping categories any information. Nonprofit best practices are not a goal and the idea of service is nonexistent. Thus I suspect the 990 will have many omissions and errors again for 2015.

I look forward to your advice in terms of timing and when persons submit their own information. Their letters will be more focused once they see this internal audit. I will keep you posted.

Thank you again!

Amelia "Amy" Loomis
[redacted]

Sent from my iPhone

On Mar 29, 2016, at 8:00 AM, Powers, Michael <michael.powers@vermont.gov> wrote:

Ms. Loomis:

I hope to meet with the attorney in the unit about a number or matters, including an update regarding the ASD and the WFHF.

Di I understand correctly from your e-mails that the WFHF account is frozen pending an audit and the plan currently is that WFHF will spin off to its own organization or under the umbrella of another pre-existing agency?

Thanks.

Please note my new e-mail address is michael.powers@vermont.gov

Michael T. Powers
Investigator
Vermont Office of the Attorney General
109 State Street
Montpelier VT 05609-1001
802-828-0096
michael.powers@vermont.gov

Powers, Michael

From: Idaho Dowsers <idahodowsers@gmail.com>
Sent: Wednesday, May 11, 2016 3:59 PM
To: Powers, Michael
Subject: 501c3 letter

FYI,

Amelia "Amy" Loomis, MSW, CCHt
[redacted]

INTERNAL REVENUE SERVICE
P. O. BOX 2508
CINCINNATI, OH 45201

DEPARTMENT OF THE TI

Date: APR 26 2016

EARTH WATER ALLIANCE INC
2976 E STATE STREET 120-225
EAGLE, ID 83016-0000

Employer Identification Number:
81-2029865
DLN:
26053512002116
Contact Person:
CUSTOMER SERVICE ID# 3:
Contact Telephone Number:
(877) 829-5500
Accounting Period Ending:
February 28
Public Charity Status:
509(a)(2)
Form 990/990-EZ/990-N Required:
Yes
Effective Date of Exemption:
March 5, 2016
Contribution Deductibility:
Yes
Addendum Applies:
No

Dear Applicant:

We're pleased to tell you we determined you're exempt from federal income under Internal Revenue Code (IRC) Section 501(c)(3). Donors can deduct contributions they make to you under IRC Section 170. You're also qualifi receive tax deductible bequests, devises, transfers or gifts under Sectic 2055, 2106, or 2522. This letter could help resolve questions on your exe status. Please keep it for your records.

EARTH WATER ALLIANCE INC

Sincerely,

Jeffrey I. Cooper
Director, Exempt Organizations
Rulings and Agreements

Powers, Michael

From: WIlliam Getz [redacted]
Sent: Wednesday, May 11, 2016 8:11 PM
To: Powers, Michael
Subject: American Society of Dowsers Problems

Dear Mr. Powers,

I am deeply concerned about the actions being taken by 5 members of the Board of Trustees and the Internal Auditor against Steve Herbert and the Water For Humanity Fund.

First let me explain that I am a Life member of ASD and joined in 2003. I am the lead instructor of the Water Dowsing School and have been a strong supporter of Steve Herbert and the WFH work. I have personally contributed over $2,000; had many of my dowsing customers contribute to WFH in lieu of my dowsing fee for locating well sites for them; organized the Mohawk-Hudson Dowsers to adopt wells for members who have passed on (see http://www.mhdowsers.org/about/about.htm) ; and finally to convince Lisa Pitkin to donate about $10,000 of her father's books to be used for memorial wells in India. Steve Herbert, has always been exemplary in responding about donations and reporting both to the Chapter and the families for whom the wells were adopted.

What disturbs me, as I understand it, is that the Executive Committee brought unsubstantiated charges against Steve Herbert and 'retired' him. No notice was ever given to Steve or the WFH Committee before these actions were taken, A group consisting of the WFH committee and supporters of WFH tried to resolve the issue to no avail. These friends of WFH were urged by the President to set up a separate and independent 501 (c) (3) organization. That was done and a proposal was submitted to transfer the monies and responsibilities to the new group Earth Water Alliance. The Board of Trustees,namely the President, rejected the proposal, have frozen the monies of the WFHF, dismissed the entire WFH Committee and will not even discus the issue until January 1, 2017. They have pulled down the website for Water For Humanity and the David Pitkin Fund.

All of these actions are taking place in executive sessions without proper minutes being kept. Trustees who have differing opinions are being harassed and forced to resign. The audit committee, chaired by Lee Ann Potter appears to be conducting a witch hunt. Janis Fallon, who is an attorney joined the audit team and quit after one day. In her words below;

Already quit audit team. I dont agree with approach and have provided comments, suggestions on tone (personal attacks, throwing out fraud accusations to person trying to get info from, drawing conclusions before getting into full review), how I could help such as talk to WFH people as part of audit, etc. Appears my input/approach to audits is not the same nor welcome. 1 person running it and guess we just agree to what already sent out or done. Not a fair impartial process that I can help with or change - 1 person show and felt negative approach and fishy. Discouraging. But I cant make it better.

Janis

Now the President Marty Lucas wants the Water for Humanity raffle to go on at the June Convention in Saratoga Springs. If the funds are frozen, how can they continue to collect donations? Should not the existing funds go back to the donors since they dismissed all the volunteers doing the work? they have no one with the experience to run the program. Marty Lucas has proposed dispersing the fund in other ways? These are funds dedicated to providing potable water and sanitation systems in developing nations. Don't they have to be used for only that purpose?

This situation desperately needs to be investigated and rectified by your office before it implodes.

Sincerely,

Bill Getz

[redacted]

[redacted]

Powers, Michael

From:	Idaho Dowsers <idahodowsers@gmail.com>
Sent:	Saturday, May 14, 2016 11:34 AM
To:	Powers, Michael
Subject:	Fwd: Earth Water Alliance, Inc. Proposal
Attachments:	2016.4.19TransPlanpdf.pdf; ATT00001.htm; SteveH4.17.16.pdf; ATT00002.htm; JoseCueto4.17.16.pdf; ATT00003.htm; DillonApr1616p.pdf; ATT00004.htm; McDonald4.18.16.pdf; ATT00005.htm; Prater4.17.16.pdf; ATT00006.htm

Michael, I was waiting to forward all materials to you at once, but I think I need to send this now. Please note that this was a proposed plan to transfer the fund, meet a stringent deadline for a raffle to support it at the convention and a celebration of its 25th year as well as get the fund out of the "frozen" state and meet its obligations as understood by the donors and the grantees. It is a moral tragedy, if not a legal violation, that this fund is still frozen. Please advise me if I can clarify any matters. Thank you.

Amelia "Amy" Loomis
[redacted]

Begin forwarded message:

From: Idaho Dowsers <idahodowsers@gmail.com>
Subject: Earth Water Alliance, Inc. Proposal
Date: April 22, 2016 at 5:28:38 AM PDT
To: ASD Board of Trustees <bot@dowsers.org>
Cc: EWA Dreama Brower Nevada & Vermont Dowsers [redacted] "EWA Susan Ann Trumpfheller, California Dowsers" [redacted], Idaho Dowsers <IdahoDowsers@gmail.com>, W Steven Herbert [redacted] W Susanne Dillon Rhode Island Dowser [redacted] W Jose Cueto Florida Dowsers [redacted] W Dan Prater Michigan Dowsers [redacted]

Members of the ASD Board of Trustees,

Attached is the re-cap of our 4/19/16 conference call between the Board Members of American Society of Dowsers and Earth Water Alliance®, Inc.(EWA) in which EWA Board responded to President Marty Lucas and Treasurer Kevin O'Brien request of March 9th, 2016 for Water for Humanity Fund® voting, and nonvoting, committee members to transfer the Fund by either starting a new nonprofit or finding one.

I am also attaching for your convenience the Water for Humanity Fund Committee support letters that we previously forwarded to you.

We will not be available for your board meeting Tuesday evening. However, I am happy to answer any questions in advance by email or phone. We look forward to hearing of your decision on Wednesday, April 27th.

Sincerely,

Amelia "Amy" Loomis, MSW, CCHt
President, Earth Water Alliance, Inc.

Re-cap of 4/19/16 Conference Call between
Board Members of American Society of Dowsers (ASD) and
Earth Water Alliance℠, Inc. (EWA)

Proposed Plan to Transition
Water for Humanity Fund® from ASD to EWA

Summary of Critical Dates:

- March 9th, 2016 President Marty Lucas and Treasurer Kevin O'Brien asked Water for Humanity Fund® (hereafter the Fund) voting and nonvoting committee members to transfer the Fund by either starting a new nonprofit or finding one.
- March 15, 2016 - Earth Water Alliance℠, Inc. (hereafter EWA) filed Articles of Incorporation with the Idaho Secretary of State.
- April 10th, 2016 – EWA Board of Directors approved Officers, Bylaws, 501(c)(3) application, and related nonprofit business.

The Directors of EWA believe that it is essential to transfer the Fund in a timely manner to allow us to meet the existing obligations of the Fund grant recipients, honor the intentions of its donors, and participate in ASD's celebration at Convention. EWA is ready, willing, and able to assume all the functions of the Fund upon completion of the transfer of all property of the Fund and the assignment by ASD of all rights, future responsibilities and expectancies including current working records. EWA will assume all current and future projects.

On April 27th, 2016, upon approval of the transfer by ASD Board of Trustees on April 26th, EWA will begin the following plan:

1. Begin Fund preparations for ASD's Convention. Our goal is to participate in the celebration of the 25th anniversary of the conception of Water for Humanity Fund® including a raffle, social, silent auction, and joint statement to the membership. Accordingly, we will work with Jennifer Anderson's Convention Committee to plan a raffle, social, and silent auction event assuming sufficient funds are available.
2. Work with the BOT to author a joint announcement to the membership;
3. Work with authorized representatives of ASD to complete our due diligence of the Fund to insure a complete understanding of the Fund status. Examples of due diligence requests include but are not limited to:
    a. The status of any current project obligations, e.g. *RPDS-Thandrampet* approved by the Fund Committee on February 29th. This is the Rene Lincoln Memorial Grant.
    b. Status of any expenses, e.g. Squarespace website and domain name invoice payments currently maintained.
    c. Review all expectancies including multi-year grants and facilitate plans for completion.

   d. Review the Fund's donations and all requirements of restricted funds.
   e. Provide detailed copies of the current financial statements and records related to the Fund.
4. Finalize the MOU to transfer the Fund. This will include:
   a. Addressing additions and modifications to the transition plan with ASD President and Treasurer or another designated BOT member.
   b. Determining future collaboration and assurances from both parties reasonably necessary to remain respectful and cooperative.
   c. Reviewing Audit Report and recommended changes to administration of the Fund, applying them in a way compatible with the 501(c)(3) Tax Determination Letter issued to EWA.
   d. Consideration of long-term commitments for ASD and EWA, e.g. memberships in each other's organizations, continued publications of solicitations and project reports, seat at EWA roundtables, etc.
   e. Reviewing inventory of all assets and determining any particulars.
   f. Arranging for the timely transfer of donated funds upon receipt of IRS 501(c)(3) designation by EWA.
   g. Arrangements to maintain the integrity of and forward all Water for Humanity Fund® mail including email.
5. We are requesting that ASD:
   a. Notify and assign appropriate contacts with authority to facilitate this transition.
   b. Prepare a joint audit report response regarding the Fund issues and recommendations (value the Fund at Convention and with membership). We request review prior to the convention and the ability to respond and put this behind us. We also want to make certain it honors Water for Humanity Fund® Volunteers and is only focused on past procedural shortcomings.
   c. We will work with ASD President to prepare joint statements to honor each other's organizations as operating in good faith and with mutual respect recognizing the contributions ASD has bestowed upon Water for Humanity Fund® and celebrating ASD's achievements. These publications could also go into digest articles, Constant Contact, websites and be presented at the Membership meeting.
   d. ASD website: removal of Pay Pal ad; set up a link to EWA (we would add a reciprocal link from EWA's website to ASD).
   e. Transfer all URL's for the Fund and website.
   f. Provide for review of all interim Water for Humanity Fund® mail including any grant applications and other files.
   g. Transfer, upon receipt, future Fund donations received by ASD.
   h. Provide a list of donors.
   i. Arrange for bookstore sales from Amazon that are associated with the Fund to automatically be transferred to EWA

j. Provide for the future transfer of any Water for Humanity Fund® donations associated with the sale of current bookstore inventory maintained by ASD for the benefit of the Fund (possibly a consignment agreement or some other agreement that recognizes the inventory is being held for sale by the ASD Bookstore) or arrange for all relevant bookstore inventory, including the Pitkin books, to be physically transferred to EWA.
k. Transfer all assets on the first of the month after receiving confirmation of IRS 501(c)(3) approval. To our knowledge at this time the following assets include:
    i. Checking and Investment Accounts,
    ii. US Patent and Trademark Name Registration (Water for Humanity Fund®), and
    iii. Inventory of physical donations including Pitkin's books (valued at over 8,000 dollars), office equipment, supplies, and other items in storage used by WFHF for Convention.

This proposal is presented in good faith and valid through Wednesday, April 27, 2016. If approved, we expect to authorize representatives of each organization to work diligently to finalize this transaction that completes the transfer from ASD to EWA.

We suggest a simple Contract format for the transfer and a Memorandum of Understanding that covers incidental detail.

Please understand that time is of the essence. The projected timeline will accommodate the administrative processing by the IRS that results in a Tax Determination Letter. It is essential that by the time of Convention that this transfer be complete and all rights and responsibilities be clearly defined.

We hope this demonstrates our representation that EWA is ready, willing and able to proceed in a targeted and effective way that casts both organizations in a favorable light.

Submitted April 22, 2016 by:

Amelia B. Loomis
Director, President

Dreama L. Brower
Director, Treasurer

Susan A. Trumpfheller
Director, Secretary

April 17, 2016

Dear Members of the ASD Board of Trustees,

The intention of this letter is to state clearly and unequivocally my opinion as a voting member of the Water for Humanity Fund Committee, that the best option for the Water for Humanity Fund at this point, is to take advantage of the opportunity to move it under the auspices of the newly formed Earth Water Alliance, Inc.

As you know, Earth Water Alliance was formed to fill a condition for just such a move. It was to be a dowsing–based organization, not competing with ASD, and be set up with a board that had the integrity, competence and motivation to handle all the responsibilities of both itself and the Fund. I believe the three founding trustees of the Earth Water Alliance, Inc. more than aptly fulfill these conditions, and I can vouch for all three, Sue Trumpfheller, Amy Loomis and Dreama Brower.

Sue Trumpfheller and I joined ASD in the same year of 1985, and became acquainted at that first convention. Each having been members of ASD for over 30 years, I know Sue carries the institutional memory of those years, including the birth of the Water for Humanity Fund. Over the years, despite living on opposite sides of the country, we have collaborated on projects such as a radio show and a feature article for the WFHF E-Newsletter. I am completely confident in her integrity, capability and dedication.

Amy Loomis has been offering her advisory assistance to me for three years now. In performing my Secretarial duties for WFHF, in regards to fund-raising and grant-writing this has been invaluable. A successful Indiegogo campaign and three draft proposals produced for India and East Africa are just two examples. Having seen her resume when she was applying to be an adviser for WFHF, I can say her experience in the grant-making world and administration in general is nothing less than stellar. She has a keen intellect that pays attention to every detail, which would assure the smooth operation of both EWA and WFHF.

I know Dreama Brower as a long-time contributor to and supporter of the WFHF. Only in the last year, however, did her proficiency with internet technology come to light, when she accepted the invitation to become Facebook Coordinator for the WFHF. She has done a fabulous job, being proactive in adding content, and creating a good presentation. However, it came to light that she is also an accountant of 23 years experience, with great proficiency in her field. Her advice and council in this regard has also been invaluable.

I am completely confident that these three initial founding trustees have the capability and sincere motivation for the task ahead of them. I believe they will fulfill their fiduciary and administrative responsibilities to provide exemplary oversight of the Fund. I am convinced beyond a doubt that the WFHF would be in very good hands under Earth Water Alliance and feel it is a God-given opportunity that is in the best and highest good of all involved and that all should welcome.

Sincerely,

Steven G. Herbert, Secretary
Water for Humanity Fund

Apr 17, 2016

To Members of the ASD Trustees,

I'm the newest WFHF Committee member. Never in my wildest dreams did I imagine waking up in a more wild reality ride of derailed harmony and energy.

My only humble action was that of joining ASD, to learn more about dowsing and to serve the community. I thought reviewing and recommending proposals was something I could do, particularly in countries that I have been in and familiar with their daily hardships and struggles. I was happy to be part of that effort. I could see their smiles upon first looking at good water. You have no idea how much American generosity and compassion make a lasting, positive effect on people. It is the best ambassadors this country can have. And, yes, it makes the job of politicians and military easier. Direct people to people interaction and cooperation are the imperative action toward peace.

Water for Humanity and other organizations with similar goals are hoping to comfort the 648 million without running water or sanitation facilities. While you all have been investing energy in each other over little issues that could have been resolved openly and amicably among yourselves, 1,000+ children DIE, daily, because of lack of water and sanitation. I'm sorry to say, and with my apologies, dear fellow Americans, trustees, and committee members, I don't think you have seen with your own eyes what misery, and dying really looks like.

ASD should not feel threatened if any new or existing organizations compete with them, unlike a for-profit organization. If anything, ASD should feel proud to be a pioneer; -- your leadership has influenced so many groups to provide service. You could create a yearly award to the most outstanding dowser organization or group. ASD can step up to the pillar of leadership, be a beacon for others.

Regarding your request for an apology, the issue of apology is so complex that scientists have come up with recent guidelines. According to researchers six things increase the effectiveness of an apology: an expression of regret, an explanation of what went wrong, an acknowledgement of responsibility, a declaration of repentance, an offer of repair and a request for forgiveness; these are the six elements. Roy Lewicki, the lead author of the study and a professor emeritus of management and human resources at the Ohio University says there is nothing on this Earth without a solution. If each party accepts each

other's apologies it is always a good start, leading to cooperation in solving problems and moving forward. If we can do it with loves ones, we can do it with colleagues, and friends. We can also do it among mature adults at ASD and WFHF Committee and move ahead with reconciliation in our hearts.

I want to remain proud to be part of this good-hearted group. To that end I recommend that ASD transfer Water for Humanity Fund to Earth Water Alliance, Inc., in the spirit of fraternity and trust. I'm sure you all mean well and will resolve this and put it in the past. We can end with stronger than ever relations and celebrate at the convention, --who knows maybe a little party.

Thank You for Serving. May the Divine Continue to Bless Us, and Our Great Nation.

Jose Cueto

[redacted]

April 16, 2016

This email is being written to express my support of the transfer of the Water for Humanity Fund to Earth Water Alliance, Inc and to assure leadership that I plan to continue my activities of running the raffle if this transfer is approved.

Water for Humanity has meant for me, a 'Charity' that helps people 'Worldwide' both for 'Water' and 'Latrines'. If we understand that we are ALL (meaning all people in the universe) connected, then whomever we help in any area of the world, we are helping ourselves.

WFH touched my 'heart' when I found out that everyone is a 'volunteer'. Dowser(s) travel to foreign lands on their own time, and many times on their own dime. When I found out they received no money for travel, that's when I started including a portion of my donation for travel, especially when Steve was planning a trip to Africa.

For me running the raffle for WFH has been a labor of love. To know I'm helping do my part to make this world a better place, speaks to me on a very special level. I plan on continuing running the raffle as long as the proceeds are used as I've mentioned above. Earth Water Alliance has been birthed to continue this work and I expect the funds remaining in Water for Humanity's treasury be transferred to Earth Water Alliance. Over the years I have been a major contributor to the WFHF and I expect that money, as I'm sure others who have contributed feel the same, be used around the world helping those in need.

Only Love Prevails,

Susanne E. Dillon

April 18, 2016

Dear ASD BOT:

This is to request that the WFHF Assets be transferred to the Earth Water Alliance. Ever since Marty and Kevin encouraged the WFHF Committee to detach from ASD, we the Committee have worked hard to find a way to achieve independence, yet continue to have a positive connection with ASD. Amy Loomis, Dreama Brower, and Sue Trumpfheller have worked hard to achieve this. They are extremely accomplished women--very intelligent, concerned for the highest good, and well-spoken leaders. They have discussed their plan with us for a new organization that will continue the work of WFHF and continue to support ASD and its convention. I believe this is in the best interests of all.

Jean McDonald

From: "Dan P. (dp)" [redacted]
Subject: Letter of support to transfer
Date: April 17, 2016 at 8:19:46 PM MDT
To: ASD Board Of Trustees <bot@dowsers.org>
Cc: Amy Loomis <idahodowsers@gmail.com>, Steve Herbert [redacted] Dreama Brower [redacted], Sue Trumpfheller [redacted] Jean McDonald [redacted] Jennifer Anderson [redacted] Jose Cueto [redacted], Sue Dillon [redacted]

Board of trustees, as a current voting member of the Water For Humanity Fund, I support the earnest efforts of the Earth Water Alliance and the transfer of the Fund.
Sincerely,
Dan Prater

Powers, Michael

From: lpitkin@nycap.rr.com
Sent: Monday, May 16, 2016 7:17 PM
To: bot@dowsers.org; John Pitkin
Subject: Pitkin books donated to Water for Humanity

To the Board of Trustees of the American Society of Dowsers-

I am writing to ask for a full accounting of the assets donated by my family and others to the David Pitkin fund for Water For Humanity. I believe this to be approximately $8,000 worth of books written by my father and about $250 in donations to his memorial fund.

It has come to my attention that the ASD has removed the listing of these books for sale in the online bookstore and that the Water For Humanity website is no longer functional and cannot accept new donations.

The fund was specifically set up at the time of my father's death in Feb. 2013 for the purpose of creating wells in India. My father was a junior high school teacher who taught African and Asian studies. His two grandchildren are also of Indian descent. To date,two wells have been successfully created in his name in India.

Please explain why the donations to Water for Humanity are no longer being used for the purpose they were intended for. My brother and I would like all assets related to the David Pitkin fund turned over to the Earthwater Alliance, which was recently created to carry on the work of Water for Humanity. If that is not possible, please return all assets to me as executrix of my father's estate.

Sincerely,

Lisa C. Pitkin

Powers, Michael

From: Idaho Dowsers <idahodowsers@gmail.com>
Sent: Tuesday, May 17, 2016 5:47 PM
To: Powers, Michael
Subject: ASD's dismantling of WFHF
Attachments: image001.jpg; ATT00001.htm; WFHF Committee Suspension-EWA-1.pdf; ATT00002.htm

Michael, This is the email that "gutted" Water for Humanity Fund Committee. (Marty's description on a recent conference call.) Note that he never refers to volunteers, which they were, only "unpaid employees".

I was shocked recently to hear that they had no plans for new volunteers to take over.

ASD Life Member,
Amelia "Amy" Loomis, MSW, CCHt
[redacted]

Begin forwarded message:

From: "President" <president@dowsers.org>
Subject: EWA - BOT Negotiations
Date: April 27, 2016 at 3:39:20 PM MDT
To: "'EWA Dreama Brower Nevada & Vermont Dowsers'" <[redacted]"EWA Susan Ann Trumpfheller, California Dowsers'" [redacted], "Idaho Dowsers" <IdahoDowsers@gmail.com>, "'W Steven Herbert'" [redacted], "'W Susanne Dillon Rhode Island Dowser'" [redacted]"'W Jose Cueto Florida Dowsers'" [redacted] "'W Dan Prater Michigan Dowsers'" [redacted]
Cc: "Board of Trustees" <bot@dowsers.org>

The audit committee has determined that the charges made by the former chairman of WFHF committee are baseless and without merit. Therefore the BOT has released the check that had been approved for distribution but held pending the investigation.

Legal counsel also found the formal charges made by the committee against our office manager and a Trustee were likewise baseless. These charges are an indication of the complete breakdown of leadership, management, and advisors within the WFHF committee. They have cost us enormous time, energy and money and have distracted both the committee and the BOT from our primary work.

In light of these on-going dysfunctions, the BOT has been working on measures that will permanently correct these problems. One option was to dissolve the committee and disperse the fund. Another option was to reorganize the committee under standard business practices. A third option was to form a separate charitable entity that would assume the mission and assets of WFHF.

A small group of dedicated and talented volunteers chose to see if they could make the 3rd option work. These people formed the Earth Water Alliance (EWA) and had the support of the BOT and members of the current WFHF committee.

You are no doubt aware of the on-going negotiations with EWA concerning a possible transfer of property, funds and mission. The second deadline set by EWA of April 27th for these negotiations has been rejected.

I expect that negotiations will continue, but no further action is contemplated in the near future. Pending these negotiations or the reorganization of the WFHF committee, all committee activities are hereby suspended and all paid and unpaid employees are released.

Please forward all correspondence concerning WFHF directly to headquarters where it will be addressed. All property, records and correspondence belonging to ASD's WFHF needs to be turned into the headquarters no later than May 15, 2016. Please coordinate with Lisa.

In any case, Vermont law requires that many of these records be retained permanently at headquarters anyway, so this will just bring us into compliance. These records include all donor information, donations and records of all receipts that have been issued.

Marty Lucas

President

Powers, Michael

From:	Idaho Dowsers <idahodowsers@gmail.com>
Sent:	Tuesday, May 17, 2016 5:58 PM
To:	Powers, Michael
Subject:	Rejection Letter from Marty Lucas to Earth Water Alliance
Attachments:	PastedGraphic-1.pdf; ATT00001.htm

fyi,

Amelia "Amy" Loomis, MSW, CCHt
[redacted]

From: "President" <president@dowsers.org>

Subject: EWA Proposal

Date: April 27, 2016 at 2:39:14 PM PDT

To: "Idaho Dowsers" <idahodowsers@gmail.com>, "'EWA Dreama Brower Nevada & Vermont Dowsers'" <[redacted]"'EWA Susan Ann Trumpfheller, California Dowsers'" <[redacted]

Cc: "Board of Trustees" <bot@dowsers.org>

Amy, Dreama and Sue,

Attached is the ASD BOT response to your proposal.

Marty Lucas

President ASD

Powers, Michael

From: Idaho Dowsers <idahodowsers@gmail.com>
Sent: Tuesday, May 17, 2016 6:02 PM
To: Powers, Michael
Subject: Letter sent to the ASD Membership

FYI, compare with two previous rejection letters.

Amelia "Amy" Loomis, MSW, CCHt
Life Member, ASD
[redacted]

The American Society of Dowsers
PO Box 24, Danville, Vermont 05828 (802)684-3417 Fax: (802)684-2565
www.dowsers.org asd@dowsers.org

April 28, 2016

Dear Member,

The Board of Trustees has been working to resolve Water for Humanity Fund Committee issues. In December 2015 the WFHF committee published formal charges against our staff and our Trustees. Our legal counsel found these charges to be without merit, groundless and even ridiculous. However, the committee leaders neither withdrew the charges nor apologized for the embarrassment they caused. Subsequently the chairman of WFHF committee resigned and he leveled other charges against the Board of Trustees and the committee.

At that time, I directed that the WFHF be frozen until the charges could be cleared. In addition, the BOT began working for long term solutions to the on-going management difficulties that have distracted both the committee and the BOT from our primary mission.

Our independent auditing committee reviewed the records and correspondence and found the charges against the committee and the Trustees to be without merit. Upon receipt of the report, I asked that the payments that had already been approved for WFHF projects to be released. The Board of Trustees supported that request and those funds have been released.

The time and energy spent by our staff and members of the board on these baseless and malicious charges has taken us away from other important work. The actions of a few have harmed our society, so action is being taken to heal these rifts and correct these problems.

During this same time a small group of talented and dedicated volunteers has been working to establish a separate charitable organization that can continue the Water for Humanity Fund mission. This group is called the Earth Water Alliance.

Unfortunately, the Board of Trustees (BOT) and Earth Water Alliance (EWA) have been unable to come to an agreement before our convention, that we feel honors the wishes of our donors and members. It is our desire that these discussions continue over the next several months so that a final agreement can be reached if possible.

The EWA proposal and April 27th deadline was declined for the following reasons:

- No time was given to the ASD BOT prior to the deadline to get a proper legal review of the proposal.
- EWA does not have a 501(c)3, so funds could not be transferred.
- EWA did not provide a business plan or any written details as to how funds will be dispersed or as to how our donors' wishes would be honored.
- The EWA By-Laws make no mention of the EWA mission, or water, or funding water projects.

Over.....

The Water for Humanity Fund Committee is currently without either a chairperson or a treasurer. Therefore all activities of the WFHF Committee are suspended until such time as the committee can be reorganized and a new chairperson appointed. All paid and or unpaid employees of the committee are hereby released.

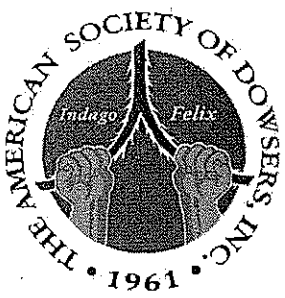
All correspondence concerning WFHF should be directed to ASD headquarters. Current WFHF obligations will be addressed until such time as the committee is functional again. All WFHF property, records and correspondence are to be turned in to ASD Headquarters as early as possible, but no later than May 15, 2016.

WFHF funds and property will be held in escrow until either the committee is able to manage them in accordance with standard business practices or another organization assumes the WFHF mission.
The fund is not closed. It is not gone, nor have we abandoned the mission of WFHF; however, we will not be able to continue to disperse funds until the management issues have been addressed.

Thank you,
Marty Lucas
President, ASD

The American Society of Dowsers

PO Box 24, Danville, Vermont 05828 (802)684-3417 Fax: (802)684-2565
www.dowsers.org asd@dowsers.org



April 28, 2016

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The time and energy spent by our staff and members of the board on these baseless and malicious charges has taken us away from other important work. The actions of a few have harmed our society, so action is being taken to heal these rifts and correct these problems.

During this same time a small group of talented and dedicated volunteers has been working to establish a separate charitable organization that can continue the Water for Humanity Fund mission. This group is called the Earth Water Alliance.

Unfortunately, the Board of Trustees (BOT) and Earth Water Alliance (EWA) have been unable to come to an agreement before our convention, that we feel honors the wishes of our donors and members. It is our desire that these discussions continue over the next several months so that a final agreement can be reached if possible.

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- The EWA By-Laws make no mention of the EWA mission, or water, or funding water projects.

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WFHF funds and property will be held in escrow until either the committee is able to manage them in accordance with standard business practices or another organization assumes the WFHF mission.
The fund is not closed. It is not gone, nor have we abandoned the mission of WFHF; however, we will not be able to continue to disperse funds until the management issues have been addressed.

Thank you,
Marty Lucas
President, ASD

Powers, Michael

From: Idaho Dowsers <idahodowsers@gmail.com>
Sent: Tuesday, May 17, 2016 6:14 PM
To: Powers, Michael
Subject: Fwd: Response to rejection letters
Attachments: 2016 05-16 PDF EWAResponsetoRejectionLtr.pdf; ATT00001.htm

FYI

Amelia "Amy" Loomis, MSW, CCHt

Begin forwarded message:

From: Idaho Dowsers <IdahoDowsers@gmail.com>
Subject: Fwd: Response to rejection letters
Date: May 16, 2016 at 1:03:32 PM MDT
To: W Susanne Dillon Rhode Island Dowser [redacted] W Steven Herbert [redacted] Dan Prater [redacted] W Jose Cueto Florida Dowsers [redacted]

FYI, Amy

Begin forwarded message:

From: Idaho Dowsers <IdahoDowsers@gmail.com>
Subject: Response to rejection letters
Date: May 16, 2016 at 12:01:23 PM PDT
To: ASD Board of Trustees <bot@dowsers.org>
Cc: "EWA Susan Ann Trumpfheller, California Dowsers" [redacted] EWA Dreama Brower Nevada & Vermont Dowsers < [redacted], Idaho Dowsers <IdahoDowsers@gmail.com>

May 16, 2016

To: Board of Trustees, American Society of Dowsers

It is with regret that we acknowledge receipt of your April 28th, 2016 decision to reject our proposal to transfer the Water for Humanity Fund® (the Fund) that we submitted in response to an invitation by the President and Treasurer of the American Society of Dowsers (ASD).

First, we would like to point out that our proposal was submitted to the ASD Board of Trustees in response to an invitation extended on March 9th, 2016 by Marty Lucas, ASD President, and Kevin O'Brien, ASD Treasurer. They made a clear Offer to the Water for Humanity Committee to form their own nonprofit or find one to transfer the fund; Marty and Kevin represented that they had the support of most of the Board. Their offer was to transfer everything over to a new group provided a nonprofit was formed and it became a 501(c)(3). This meeting was recorded and a transcript will disclose the clear terms of the proposal.

We understood this to be a verbal contract and in response to this offer we acted in good faith and developed an Idaho nonprofit corporation and a 501(c)(3) public charity on March 15th called the Earth Water Alliance, Inc. (EWA)

We submitted a time-limited proposal to transfer the Fund for several reasons:

- You wanted a 25th Anniversary Celebration for the Water for Humanity Fund® and Steven Herbert's leadership as well as a raffle for the Fund at the ASD June convention in New York. We needed time to prepare appropriately for this event including addressing the New York laws for raffles.
- You had frozen the Fund on March 4 and many of the grantees were being negatively impacted by these disruptions. Additionally, the Debley Foundation matching grant needed to be finalized. We believed that it was imperative that the Fund be transferred in a timely manner to allow the Directors of the Earth Water Alliance to meet the obligations of the Fund to its grant recipients and honor the intentions of its donors.
- We were informed that the President and some BOT members were making negative comments about their invitation. Although we acted in good faith we were beginning to question ASD's intentions. We believed it was necessary to receive an indication of support by the BOT before developing a contract specifying the particular assurances and prior to spending additional time and resources on this transfer.

As a result, we requested a BOT vote on our proposal to transfer the Fund at the special meeting scheduled by the BOT on April 19th, 2016. At that meeting, we were advised the BOT was not prepared to vote on the proposal and we subsequently extended the deadline for a vote of support to April 27th, one day after the next regularly scheduled BOT meeting.

On April 28th the EWA Board of Directors received a letter from the ASD President that "no further action will be taken concerning the transfer until after December 31, 2016" and, at the same time the membership received a letter stating that negotiations were expected to continue. We were confused and disappointed since we were responding to an invitation by ASD to form an independent nonprofit organization to assume responsibility for the Fund. We were working to meet several deadlines including preparation for the 25th Anniversary Celebration of Water for Humanity at the upcoming convention in June and, more importantly, the imperative need for an organization to manage the obligations of the Fund to its donors and grantees.

Second, we would like to share the following response to each of your stated reasons for declining our proposal to transfer the funds:

1. ASD did not have time to get legal review: Between the BOT's invitation on March 9 and the vote on April 26, the BOT had ample time to consult legal counsel. On March 29th at the open monthly Trustee meeting, Jean McDonald, Liaison to the Fund Committee, formally advised the BOT and members of ASD that Earth Water Alliance, Inc. had accepted the invitation to form an unassociated nonprofit organization, for the purpose of transferring the Fund. On April 15th and 16th, EWA submitted a proposal with supporting documents (Articles of Incorporation, support letters from Fund Committee members, and the Bylaws) with a request for a vote of support by the BOT. Since this proposal was an acceptance of ASD's offer to transfer the Fund to EWA with expectation of a future contract and a Memorandum of Understanding, the BOT would have had additional time to consult legal counsel.
2. EWA does not have a 501(c)(3): The EWA Board informed the BOT that it had submitted the short form application for the 501(c)(3) tax-exempt status and expected an expedited determination. At our April 19th presentation we acknowledged that the transfer of the Fund was subject to receipt of tax-exempt status, which could have been confirmed later at the time of contract. For the record, EWA received 501(c)(3) tax-exempt status effective as of the date of incorporation in Idaho.
3. EWA did not provide a business plan or written details for handing the funds: The EWA Board consistently represented that the obligations of the Fund would be carried out by EWA, transferred funds would be properly applied, and ASD would be recognized and honored. Prior to the rejection letter, no request for a business plan or written details had been received from the BOT. On March 14th, Amy Loomis called Marty Lucas and accepted his offer to form a 501(c)(3) nonprofit corporation. She asked him what he needed to perform the transfer and he said, "keep it simple—just the Idaho Corporation document and proof of a 501(c)(3)". We did supply Articles of Incorporation and follow-up correspondence regarding our intent.
4. EWA Bylaws make no mention of its mission or funding water projects: The Bylaws state that EWA's purpose includes charity as defined by the I.R.S. There is no requirement for Bylaws to include a Mission Statement or details about the types of charity an organization intends to provide. EWA advised the BOT that its Mission Statement had not been finalized because it was dependent on whether the transfer of the Fund would be included.

Again we wish to emphasize that we are distressed that the BOT has disbanded the Water for Humanity Fund® Committee and suspended all activities associated with it. We remain concerned that ASD may not be prepared to fulfill its obligations to its donors and, just as importantly, its grantees that are depending upon assertions made by the Fund Committee when it accepted their grant proposals and started funding projects. Any delay in providing the funds donated by your members and other caring individuals and organizations will result in continued and unnecessary hardship to the Fund's portfolio of grantees in India and elsewhere who are in severe need of assistance. For example, 330 million people have been affected by drought in India alone: (http://www.bbc.com/news/world-asia-india-36299778). Make no mistake, lives are at stake. We lament that the Fund has been placed on hold.

Out of adversity comes a new opportunity to enhance dowsing worldwide; network with concerned organizations and individual dowsers; and optimize the delivery of potable water, water management, and sanitation systems as well as introducing a new dimension in raising awareness of the importance that Water has to a living Planet.

EWA was formed to carry on the spirit and activities of the Fund; with that now denied as a possibility, EWA embraces a new perspective. We are proceeding to define our mission without the obligation of incorporating the needs of the Fund and are realizing a tremendous need for dowsers to address earth

and water issues worldwide. Solely through the initiative of ASD, we now stand as an independent nonprofit organization that is prepared to serve the world's water-related problems with dowsing solutions.

Sincere Intentions for the Highest and Best Good,

Earth Water Alliance, Inc.
Dreama Brower, Director and Treasurer
Amy Loomis, Director and President
Sue Trumpfheller, Director and Secretary

Powers, Michael

From: JaxinVermont . [redacted]
Sent: Tuesday, May 17, 2016 6:33 PM
To: Powers, Michael
Subject: American Society of Dowsers

Dear Michael,

I believe I spoke with you last fall about my resignation from the American Society of Dowsers, if it was not you, I apologize for the mistake.

I have almost 200 notes in my email about my experience working at the American Society of Dowsers. I was employed there from September 2012 until September 2015 when I quit.

My reason for leaving was the abusive treatment I received from Lisa Lacoss the now Operations Manager and the current board of trustees including Sandi Ruelke, Sandi Isgro, & Annette Weis.

I was actually sexually harassed by a fellow employee of the American Society of Dowsers, Blair Wolson, in 2014 resulting in his firing, which led to what can be coined as 'slut shaming' for my remaining year of employment by all of the above (in addition Keith Shaffer also executive member of the board).

Beyond this I witnessed Lisa Lacoss's from the years of 2012 abuse and demean me and volunteers including committee Water for Humanity secretary Steve Herbert.

I saw her outright lie about the actions of Steve Herbert to members of the board. She constantly blamed her mistakes on him and lied about his communications with her.

I saw her take money into her own private areas insisting on no one else counting it. I recorded much of this in my notes that I kept as email drafts.

I saw her mis-reporting bookkeeping reports to the board and others, withhold information and seem to become emotionally unstable when asked for more information.

Other people to contact can be produced on her behavior and emails and behaviors of the board. I am willing to be interviewed and produce information.

I believe it is in the state of Vermont's best interests to do some serious investigation for protecting tax payers and consumers....

I truly have very little time for the shenanigans of ASD but because they are so grossly getting away with abusing good people and books, I feel I must offer information if asked.

I implore you to find a way to put an end to the cruelty, dishonesty and what I intuitively feel is embezzlement, of this national organization located at 184 Brainerd Street in Danville, Vt.

Let me know if you want to speak further.

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Let me know if you want to speak further.

Best,

Jacqueline Willey
[redacted]

Powers, Michael

From: JaxinVermont . [redacted]
Sent: Tuesday, May 17, 2016 9:31 PM
To: Powers, Michael
Subject: Re: American Society of Dowsers

P.s. I want to add for full disclosure I was invited to write you by recent ASD members, volunteers and committee members of Water for Humanity the past subsidiary of the Danville Headquartered: American Society of Dowsers, who also are going to or have engaged with you. Just don't want this email to seem out of the blue, I believe Amy Loomis has been in touch with your office.
I meant to send a report in last September when I quit but truly want to forget I ever even worked at such a horrendous place, yet feel obligated to offer any information in regards to more recent wrong doings that have been presented to me with the firing of the entire Water for Humanity Committee.

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Jax

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I saw her mis-reporting bookkeeping reports to the board and others, withhold information and seem to become emotionally unstable when asked for more information.

Other people to contact can be produced on her behavior and emails and behaviors of the board. I am willing to be interviewed and produce information.

Best,

Jacqueline Willey
[redacted]

Powers, Michael

From: Nathan Platt [redacted]
Sent: Wednesday, May 18, 2016 12:43 PM
To: Powers, Michael
Subject: American Society of Dowsers

Mr. Powers,

My name is Nathan Platt. I am a former manager of The American Society of Dowsers in Danville, Vermont. I served as manager from April 2011 to October 2013.

It has come to my attention that, due to what seems to now be intolerable levels of ineptitude, mismanagement and corruption among members of the Board of Trustees and staff, members of the society have or will be approaching you with their concerns.

I cannot speak specifically to the last few years of financial activity in the society as I am not privy to that information. I have heard some disturbing things but have nothing concrete. All I can say is that in the three years since my departure, the society has managed to drain itself of most of its savings (an amount in the high five-figures/low six-figures upon my departure, largely accumulated during my time managing there), lost several long-standing and respectable board members who quit in disgust, failed to replace me and have been operating without a manager for three years (completely against the society's own guiding documents which the Board of Trustees are sworn to uphold), failed to replace the recently departed Bookstore Manager (again, against society policy), and overpaid and overbonused the sole full-time employee remaining there, who has been for the last three years the 'interim' manager and who is, by all accounts including my own, severely unqualified for such a task lasting three weeks' time, to say nothing of three years.

ASD's mismanagement and ineptitude negatively affected my departure from the management position that I held there, and negatively affected the leadership transition process surrounding those events, but I made my peace at the time and decided not to press the issue.

To the extent that you might have questions or need information regarding my time at ASD, I am available to help in any way that I can.

Kind regards,

Nathan

Powers, Michael

From: Idaho Dowsers <idahodowsers@gmail.com>
Sent: Wednesday, May 18, 2016 4:47 PM
To: Powers, Michael
Cc: Jean McDonald
Subject: Jean McDonald's resignation from the ASD Board of Trustee
Attachments: 2016 5.18JeanMcDonaldResignation.pdf; ATT00001.htm

Mr. Powers, Jean McDonald asked me to forward this to you as she has had difficulties with her word processing program. Please see her email address above for further information.

A. Loomis

May 18, 2016

Dear American Society of Dowsers' Board of Trustees/ Disbanded Water for Humanity Fund Committee/ and ASD General Membership:

In the past, I served my home county for 20 years as an elected County Commissioner. After that, I was appointed County Road Commissioner for 6 years. I served on dozens of committees and chaired many of them. Only once in those 26 years did I encounter a group of individuals so determined to micromanage and so obsessed with absolute control of information. Last year, I met another in the guise of the Board of Trustees' Executive Committee.

I had heard that there were issues within ASD when I was asked to run. Five Board of Trustee members had quit at the end of 2014. I came on the Board of Trustees (BOT) eager to help solve any problems. I truly believed that ASD and the WFHF were admirable groups dedicated to humanitarian service. We "Newbies" as Jennifer Anderson, Rebecca Gurland and myself were called, were told at our first meeting that there were 7 potential lawsuits pending and that our questions regarding the new By Laws would be answered at the evening's Membership Meeting. We were surprised and shocked when after a short question and answer period, someone called out, "Move to adjourn!" It was seconded, and the meeting ended.

At our next meeting the following morning, we were told that with the loss of the five trustees, everyone was overwhelmed with work that needed to be done. We were asked to support an expansion of the Executive Committee to include 2 vice presidents and 2 secretaries. Elected were: President: Adhi Moonien Two Owls, Vice Presidents: Marty Lucas and Sandra Isgro, Secretaries: Annette Weis and Sandi Ruelke, Treasurer: Kevin O'Brien.

Later, we would realize our mistake. Now these individuals had the majority of votes and could and did control the BOT. The Executive Committee did not share its agendas or action items. Committees were formed and comprised by as few as one person to rewrite By Laws, Nominations Committee Procedures, Personnel and Policies Manual (PPM), and Confidentiality and Harassment policies. These

changes were then sent on to the BOT for approval. As much as possible, changes in policy were put into the PPM, as those did not require membership approval. There were many calls for volunteering for ASD Committee membership but volunteers quickly learned that being on one of these committees did not mean that you would be notified and included in meetings or in the decision making process.

The vitriolic and punitive responses to my asking questions of the BOT, resulted in me being placed on 3 months probation. No hearing—nothing in writing. Just a vote by the Executive Committee and their decision of October 10, 2015 relayed to me by phone by President Adhi Two Owls. Even today, almost 7 months later, I still have not been given causal factors for this decision or notice of being removed from probation.

At the June Convention, President Adhi Two Owls named Jennie Anderson and myself as Liaisons to the Water for Humanity Fund Committee. We were pleased and eager to work with this group of such dedicated individuals. This committee worked very well together becoming more organized and using each of our differing areas of expertise. There were no complaints or suggestions from the BOT to us as Liaisons or to the Chair of WFHF, Dan Prater. We thought everything was going well.

In early December, Jennie and I had a phone conference call with President Adhi. She informed the two of us that the Executive Committee had met in late November and voted to remove Steve Herbert as Secretary to the Water for Humanity Fund (WFHF) and to retire him from WFHF at the June 2016 Convention. Both Jennie and I urged her to get the Executive Committee to reconsider its decision. We told her that WFHF had been working well together and were a much more cohesive group. We told her that removing Steve who was the heart and soul of WFHF was a huge mistake. Although Adhi agreed with us, she stated that she had been ordered by the Executive Committee to execute their vote and wishes. Further, she requested that the information given us was to remain confidential until she had time to speak to both Steve Herbert and Dan Prater. Dan and Steve were not told until after the New Year. As you can imagine, all hell broke loose. None of the rumored accusations towards Steve were felt to be discreet. In addition, WFHF's lack of information about the Executive Committee's reasons for this action hampered WFHF's ability to investigate and

respond to the issues now raised in rumors and innuendo. All of this caused much anger and lack of trust.

Shortly thereafter, Adhi Two Owls was forced to resign, and Marty Lucas became President of ASD. With the removal of Adhi, the new leadership became even more obsessed with control of information, threatening that any member who shared information outside the BOT meetings would also be removed from the BOT. As the appointed Liaison to WFHF, I needed to speak to both the BOT and the WFHF Committee about information and issues that came up. "Muzzling" me made it impossible for me to do my job as Liaison.

By now, 3 more BOT members were gone: Janet Windsor, Richard Benishai and Adhi Two Owls.

Soon, Marty installed a communications system for all BOT Members. We were given email addresses so that a server would keep track of our emails—ingoing and outgoing. It was stated that this was to enable the next Board to understand what this Board had done. Until just recently, I did not agree to do so. I still don't understand why a 1200(?) member non-profit organization needs to maintain such control and secrecy. I believe that we need transparency. We need people to ask questions and bring in new ideas. We have lost 8 BOT members in less than 2 years. When asked how many ASD members we'd lost over the last few years, information was "not available". What is going on?

On March 9, 2016, President Marty Lucas and Treasurer Kevin O'Brien urged the WFHF voting and non-voting Committee Members to transfer the Fund by either starting a new non-profit or finding another to join. Amy Loomis, Dreama Brower and Sue Trumpfheller began working and formed the Earth Water Alliance. They applied for and received their 501©3 non-profit corporation status. All the voting members of WFHF Committee sent letters to the BOT supporting the transfer of the Fund to this new group. As requested by Marty and Kevin, Earth Water Alliance (EWA) submitted their application to the BOT for the transfer of the WFH Fund. On April 26, 2016 in closed session, the BOT voted against the transfer of the Fund. Marty then disbanded the WFHF Committee and the Fund remained "frozen".

I am not one to give up and quit but on April 26, 2016 when the BOT went into Closed Session, they also tried to remove me from the BOT for paying my dues two weeks late. This was a surprise move and not on the agenda. On May 16, 2016, ASD had another closed meeting. The Board voted to use the WFH non-restricted funds to pay for ASD's attorney fees, (6 yes – 1 no), me being the one no. I have always been told that all donations to WFH are restricted and that WFH restricted funds cannot be used for administrative costs unrelated to the purpose for which they were donated. This action would also increase the traditional 5% administrative costs of the WFH Fund. Further, how could this even be considered when the Fund has been "frozen"? How can ASD have a convention raffle to take in monies for a fund that is "frozen"?

I have finally realized that all the stress I have endured for a volunteer position these last 11 months is not going to abate. With the dismantling of WFHF by Marty Lucas's action as Chair, I have dowsed and come to understand that I cannot see myself having any positive influence in this organization's BOT.

Therefore, I hereby resign as a member of the ASD BOT, effective immediately.

Unlike all those who have left or been forced out and haven't shared their experiences, I wish to speak to those of you who elected me. Please, please ask some of the following questions of your present BOT.

I have never been able to get answers to these questions:

1. What were the ballot results for the 2015 By Laws changes? We were told that they were unanimous. Yet, I and several others I know of, did not vote yes.
2. What were the ballot results for the Candidates running for the BOT?
3. What are the amounts of money in the BOT's Trust Funds? Rumors have run as high as $20,000 and as low as $800. Why is this a secret?
4. What were the BOT Committees' 2016 budget (funding) requests?
5. To date, what amendments have been made to the 2016 Budget? Who approved these and when?
6. How much over budget is the 2016 Convention?

7. What amount was spent for the attorney and (non-certified CPA) auditor this winter/spring? Who authorized it? Had the auditor signed off on her threat of a potential lawsuit against ASD before being hired?
8. What action items have been approved by the Executive Committee? What were the votes? Why were these never brought to the full BOT?
9. How can ASD Lifetime Memberships be taken away by the BOT?
10. How can the BOT demand Chapters' money, supplies, sale items, documents, etc. when they leave ASD—even when they do not use ASD's 501©3 tax number?
11. Why can't the members obtain a complete financial reporting more often than once a year?

Sadly, I leave…grateful for your confidence in electing me and grateful for the many letters and calls with your support. I have met so many wonderful dowsers!!!

Thank you,

Jean McDonald

Powers, Michael

From:	Idaho Dowsers <idahodowsers@gmail.com>
Sent:	Thursday, May 19, 2016 7:06 PM
To:	Lisa McCrory; Powers, Michael
Cc:	Steve Herbert; Jax Willey
Subject:	Re: Resignation Letter that went out to ASD Members, Oct 2014

Lisa, I have included Michael Powers of the Vermont AG contact above so that you can communicate directly with him.

Thanks for following up!

Amy

Sent from my iPhone

On May 19, 2016, at 1:51 PM, Lisa McCrory <lmccrory560@gmail.com> wrote:

Steve (cc Jax and Amy)

As you submit things to the Atty General, here is the official resignation letter that went out to ASD's digital members and followers.

I will now transcribe my memory of this process - as to why we decided we needed to 'break from the herd'.

All the best,

Lisa McCrory
[redacted]

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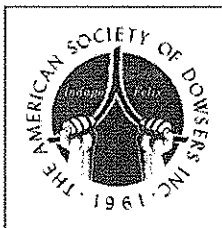

American Society of Dowsers

As National President of the American Society of Dowsers, am sending this message out to the ASD Membership as my last formal action as your President. Please read this letter below.

- Sandee Mac

Letter of Resignation to the Members of the American Society of Dowsers and the Board of Trustees

October 31, 201

We, as a group of five Trustees, are tending our resignations, effective immediately, for the American Society of Dowsers.

It is our conviction that because of irresolvable conflicts within the Board of Trustees for the past eighteen months, we have been unable to implement our goals of world service through dowsing. Our constructive energy has been drained. We can no longe tolerate the back-stabbing, undermining, negative emails, self-serving promotions, character assassinations, outright lies, and well-crafted sabotage of the organization that four members of the remaining Board are carrying out, basically blocking every attempt at moving ASD forward in a positive manner. We feel that our time can be better spent working as members in local ASD chapters or with other organizations that promote Light and Service to Humanity rather than concentrate on the continued activities, referenced above.

As a result of our departure, you, the members, may get a response from some of thos remaining on the Board of Trustees and others in their network, perhaps portraying us in a negative way. If you want to see examples of the negative behavior that we have been experiencing, we will be happy to make them available.

We believe it is for the highest and best good to resign from our board and committee positions. We regret leaving these leadership roles, but feel that another two plus year will prove to be too much of a burden for us to bear. The American Society of Dowse was founded as a member-driven organization of service to Humanity. We ask you, and all of us, as members to work and dowse ways to bring our organization into alignment with the founders' original vision.

We wish you all well and hold you all in the Highest Light.

Respectfully,

Sandee Mac, ASD Board of Trustee, Executive President (member of all committees formerly Vice President
Lisa McCrory, ASD Board of Trustee, Executive Co-Vice President, formerly Secretary, Finance committee, Water for Humanity Committee, PPM and By-laws Committee, OM Hiring Committee
Kate Whitefield, ASD Board of Trustee, Executive Secretary, PPM and By-laws Committee, International Outreach Committee

Marty Cain, ASD Board of Trustee, formerly Executive Co-Vice President, Convention committee, Education Committee, PPM and By-Laws Committee
Bill Bonnell, ASD Board of Trustee, formerly Executive Co-Vice President, PPM and By-laws Committee, Water for Humanity Committee, Buildings and Grounds Committee

Powers, Michael

From: Powers, Michael
Sent: Friday, May 20, 2016 1:54 PM
To: [redacted]
Subject: RE: American Society of Dowsers

Thank you for your messages.

Michael T. Powers
Investigator
Vermont Office of the Attorney General
109 State Street
Montpelier VT 05609-1001
802-828-0096
michael.powers@vermont.gov

From: JaxinVermont . [redacted]
Sent: Tuesday, May 17, 2016 9:31 PM
To: Powers, Michael <michael.powers@vermont.gov>
Subject: Re: American Society of Dowsers

P.s. I want to add for full disclosure I was invited to write you by recent ASD members, volunteers and committee members of Water for Humanity the past subsidiary of the Danville Headquartered: American Society of Dowsers, who also are going to or have engaged with you. Just don't want this email to seem out of the blue, I believe Amy Loomis has been in touch with your office.
I meant to send a report in last September when I quit but truly want to forget I ever even worked at such a horrendous place, yet feel obligated to offer any information in regards to more recent wrong doings that have been presented to me with the firing of the entire Water for Humanity Committee.

Best,
Jax

On Tue, May 17, 2016 at 6:32 PM, JaxinVermont . <[redacted] wrote:

Dear Michael,

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I have almost 200 notes in my email about my experience working at the American Society of Dowsers. I was employed there from September 2012 until September 2015 when I quit.

My reason for leaving was the abusive treatment I received from Lisa Lacoss the now Operations Manager and the current board of trustees including Sandi Ruelke, Sandi Isgro, & Annette Weis.

I was actually sexually harassed by a fellow employee of the American Society of Dowsers, Blair Wolson, in 2014 resulting in his firing, which led to what can be coined as 'slut shaming' for my remaining year of employment by all of the above (in addition Keith Shaffer also executive member of the board).

Beyond this I witnessed Lisa Lacoss's from the years of 2012 abuse and demean me and volunteers including committee Water for Humanity secretary Steve Herbert.

I saw her outright lie about the actions of Steve Herbert to members of the board. She constantly blamed her mistakes on him and lied about his communications with her.

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Let me know if you want to speak further.

Best,

Jacqueline Willey
[redacted]

Powers, Michael

From: Powers, Michael
Sent: Friday, May 20, 2016 1:56 PM
To: [redacted]
Subject: RE: American Society of Dowsers

Mr. Platt:

Thank you.

Michael T. Powers
Investigator
Vermont Office of the Attorney General
109 State Street
Montpelier VT 05609-1001
802-828-0096
michael.powers@vermont.gov

From: Nathan Platt [redacted]
Sent: Wednesday, May 18, 2016 12:43 PM
To: Powers, Michael <michael.powers@vermont.gov>
Subject: American Society of Dowsers

Mr. Powers,

My name is Nathan Platt. I am a former manager of The American Society of Dowsers in Danville, Vermont. I served as manager from April 2011 to October 2013.

It has come to my attention that, due to what seems to now be intolerable levels of ineptitude, mismanagement and corruption among members of the Board of Trustees and staff, members of the society have or will be approaching you with their concerns.

I cannot speak specifically to the last few years of financial activity in the society as I am not privy to that information. I have heard some disturbing things but have nothing concrete. All I can say is that in the three years since my departure, the society has managed to drain itself of most of its savings (an amount in the high five-figures/low six-figures upon my departure, largely accumulated during my time managing there), lost several long-standing and respectable board members who quit in disgust, failed to replace me and have been operating without a manager for three years (completely against the society's own guiding documents which the Board of Trustees are sworn to uphold), failed to replace the recently departed Bookstore Manager (again, against society policy), and overpaid and overbonused the sole full-time employee remaining there, who has been for the last three years the 'interim' manager and who is, by all accounts including my own, severely unqualified for such a task lasting three weeks' time, to say nothing of three years.

ASD's mismanagement and ineptitude negatively affected my departure from the management position that I held there, and negatively affected the leadership transition process surrounding those events, but I made my peace at the time and decided not to press the issue.

To the extent that you might have questions or need information regarding my time at ASD, I am available to help in any way that I can.

Kind regards,

Nathan

Powers, Michael

From: [redacted]
Sent: Friday, May 20, 2016 2:14 PM
To: Powers, Michael
Subject: Re: American Society of Dowsers

Your welcome -

Jax

On Fri, May 20, 2016 at 1:54 PM, Powers, Michael <michael.powers@vermont.gov> wrote:

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Michael T. Powers

Investigator

Vermont Office of the Attorney General

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802-828-0096

michael.powers@vermont.gov

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Society of Dowsers, who also are going to or have engaged with you. Just don't want this email to seem out of the blue, I believe Amy Loomis has been in touch with your office.

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Let me know if you want to speak further.

Best,

Jacqueline Willey

[redacted]

Powers, Michael

From: Idaho Dowsers <idahodowsers@gmail.com>
Sent: Monday, May 23, 2016 9:49 AM
To: Susanne Dillon
Cc: Steven Herbert
Subject: Re: my donation???

Wow Susanne! Thanks for your confidence. We will honor your restrictions.

Think it would be appropriate to cc Steve Herbert since you have used his name in the document and clarified restricted funds for his travel. (Note a slight change in document.)

It might be helpful to copy the VT attorney general or forward to them after you send it to the BOT, michael.powers@vermont.gov

Thanks again for all your support and volunteer time for Water for Humanity. Your work as a fundraiser has been so helpful.

Amy

Earths Water Alliance, Inc.

Sent from my iPhone

On May 23, 2016, at 7:18 AM, Susanne Dillon [redacted] wrote:

My plan is to send the following to the BOT with cc to both of you including Sue T and Dreama. Please let me know if changes would be beneficial. Thank You!

ASD Board of Trustees:

In late December 2015 my husband and I made a donation to the WFHF of $2,200.

Let's face facts, our donation is part of the frozen money in the WFHF.

My request is that it be sent over to the newly formed nonprofit — Earth Water Alliance (EWA).

In the past I've requested money be restricted for travel for Steve Herbert, I would also like that money to be sent to EWA.

Thank You!

Only Love Prevails,

Susanne Dillon

Powers, Michael

From:	Susanne Dillon [redacted]
Sent:	Monday, May 23, 2016 10:32 AM
To:	bot@dowsers.org
Cc:	Amy Loomis; Sue Trumpfheller; Dreama Brower; Steven Herbert; Powers, Michael
Subject:	WFH donation

ASD Board of Trustees:

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Let's face facts, our donation is part of the money frozen money in the WFHF.

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Thank You!

Only Love Prevails,

Susanne Dillon

Powers, Michael

From:	Susanne Dillon [redacted]
Sent:	Tuesday, May 24, 2016 9:50 AM
To:	President; Board of Trustees
Cc:	Amy Loomis; Sue Trumpfheller; Dreama Brower; Steven Herbert; Powers, Michael
Subject:	Re: WFH donation

Marty, in reply to your email, as I see it you have a **credible outside agency in place.**

If you are to **honor my donation as you state**, then my request is that it be sent to the newly formed **non-profit Earth Water Alliance.**

Only Love Prevails,

Susanne Dillon

Susan,
Thank you for your support of ASD and the WFHF mission. ASD continues to be committed to the Water for Humanity mission. The donations are safe and are being held until either the committee reorganization is complete or a credible outside agency is found to take over the mission. Our primary responsibility is to honor our responsibility to all of our donors to ensure that their monies are spent in the most effective way possible to support the WFHF mission.

Marty Lucas
President ASDOn May 24, 2016, at 9:36 AM, President <president@dowsers.org> wrote:

<Mail Attachment.eml>

Powers, Michael

From: Dreama Brower [redacted]
Sent: Tuesday, May 24, 2016 2:48 PM
To: Powers, Michael
Subject: Fwd: Resignation from ASD Committee positions and Convention Cancellation

Michael,

I understand that certain individuals have shared their concerns about the American Society of Dowsers and it's Water for Humanity Fund. In addition to my concerns for the Water for Humanity Fund, I would also like to share my short-lived experience with the Trust Fund committee. After being asked to be on the committee by an ASD Trustee in November 2015, I asked how much money was in the fund and was advised it might be $800 or more but the Trustee did not know for sure. I asked the Committee chair but he also was uncertain. At that time, he advised that I should expect no committee action until after April 15 when tax season was over for him. Finally, on April 22, I received an email advising me that the fund of $1,305.95 was being moved to a new bank and he would be one of the three individually designated signatories on the account. The other two are the President and Treasurer of ASD (however, the Treasurer has recently resigned). At no time after my one call with him in November, did we have a meeting or discussion about the Trust Fund or changes in the bank account.

Today, I resigned from any positions at ASD per the attached email sent to the Board of Trustees.

If you have any questions or require any additional information, please do not hesitate to contact me directly at this email or by phone [redacted]

Dreama Brower
Conscious of our Unity

---------- Forwarded message ----------

From: Dreama Brower

To: BOT <BOT@dowsers.org>; asd <asd@dowsers.org>
Sent: Tue, May 24, 2016 11:01 am
Subject: Resignation from ASD Committee positions and Convention Cancellation

Board of Trustees, American Society of Dowsers:

Due to recent Board of Trustee ("BOT") actions I am hereby tendering my resignation as an officially designated committee member for the Trust Fund, unofficial member of the Finance committee, and any other unofficial committees I may have been associated with either formally or informally. I believe actions of certain members of the Board of

Trustees are detrimental to ASD and have created an atmosphere of paranoia, distrust, secrecy, and fear of retribution. As a result, ASD has experienced the loss of its President and at least six BOT members since the 2015 election as well as the support of many of its dedicated volunteers and members.

In my opinion, factions of this BOT have completely disregarded ASD's vision statement which states it shall "3. Sustain a loving and supportive community throughout the membership by promoting communication, cooperation, and interaction on local, regional, national, as well as international levels" and "5. Grow and evolve as a society in harmony with the changes of our country and our world."

ASD's Mission Statement states it "...shall be to support, encourage, and promote dowsing and dowsers in a manner consistent with the highest standards of personal integrity and behavior...to promote and foster communication and fellowship among all persons in any way interested in dowsing..." The BOT appears to have dismissed this mission and is, instead, operating under a cloud of innuendo, secrecy, and top-down directives.

I will no longer support ASD's "humanitarian" fund now that the Water For Humanity Fund Committee activities have been suspended (i.e. donations will not be used to support additional water well and sanitation projects) and paid or unpaid employees have been "released." For several years, I have volunteered to help the Water for Humanity Fund ("WFHF") because of Steve Herbert's long-time volunteer services, concern for the grantees, and commitment to the fund. I do not understand how you can justify the treatment he has received. I have heard that there may have been some administrative issues the BOT thought should have been changed; however, at no time during my attendance at any of the WFHF Committee meetings did the BOT attempt to discuss any issues with the WFHF Committee.

In addition, I was asked to be a member of both the Trust Fund and the Finance Committees only to be cut off from any communication regarding the Finance Committee since February without any notice or explanation. Maybe I was never officially on the committee and was only being asked by Diane Bull to provide information to her for her benefit - who knows - I certainly don't know how that committee works or even, for that matter, who is on the committee. The Trust Fund committee was never able to tell me how much money was under management by that committee. However, I was finally advised on April 22 that the committee chair believed $1,305.95 would be deposited with a new bank. I am uncertain who or when this action was authorized or why the amount of the trust is not known to the committee. I want to go on record stating that I have not been included in any matters concerning the Trust Fund or any actions taken by it to this date.

Finally, I am no longer planning to attend the 2016 convention and I hereby request that my registration fee be returned to me. I am still planning to attend Donna Eden's workshop on Monday, June 20, and authorize ASD to retain the $115 I paid for her workshop.

Dreama Brower

Powers, Michael

From: WIlliam Getz [redacted]
Sent: Thursday, May 26, 2016 8:58 AM
To: Powers, Michael
Cc: Lisa Pitkin; John Pitkin
Subject: David Pitkin Memorial Fund - American Society of Dowsers/ Water for Humanity donations

Michael,

The American Society of Dowsers is still promoting the collection of funds for Water For Humanity Fund and the David Pitkin Memorial Fund. The links below are still active.

Bill Getz

http://dowsers.org/book-store/david-pitkin-memorial-fund

David Pitkin Memorial Fund

The David Pitkin Fund

Give A Gift Of Water, Get A Gift Of Books

[grid9 first]

David Pitkin was an author, researcher, and 9th grade teacher of African and Asian Studies from the Saratoga area of New York. David first became interested in the paranormal in the 1960s, and for the next fifty years his prolific studies in the field of paranormal investigation produced a large body of work, including some of the best written records of ghosts and paranormal activity in New England and beyond.

David was a dowser and a metaphysical practitioner, first joining the American Society of Dowsers in the early 1960s. ASD is proud to recognize and honor David among our society's earliest members. David was a reader at the Edgar Cayce Foundation and a scholar of Cayce's work.

David's published works include the publication of nine books, an audio CD, and countless presentations on a variety of metaphysical topics. A well-recognized figure in his community, television and international radio, David's good nature and personal gravity lent to the pleasure of his presence for all who spent time with him, from his thousands of high school students to his family, friends, and associates.

David passed on in February 2013, leaving the inventory of his publishing firm, Aurora Publications. Upon his wishes, The American Society of Dowsers has accepted inventory of David's published works for the purpose of funding clean water projects through our philanthropic outreach program, Water for Humanity.

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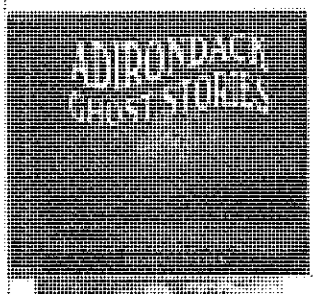
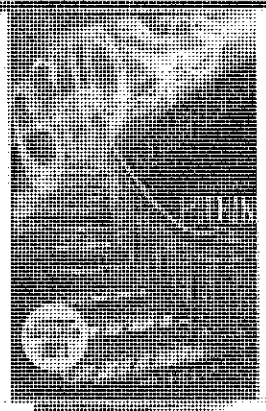
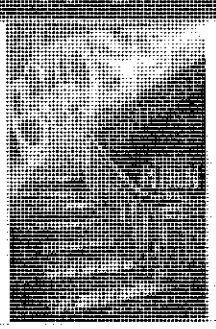
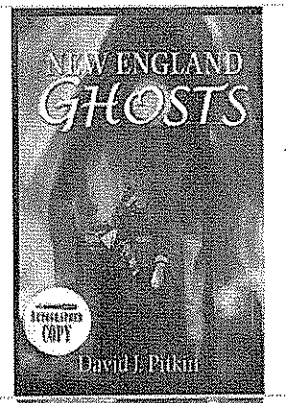
http://dowsers.org/bookstore/index.php?main_page=advanced_search_result&search_in_description=1&zenid=pv2a90pjfovah4qkvfpemhmsc7&keyword=Pitkin

The Signed copies do not apply

Item Name		Price
	**Adirondack Ghost Stories by David Pitkin by Donation** All proceeds of this purchase go to fund clean water projects in India through ASD's philanthropic outreach program, Water for Humanity! See below...	$15.00 Add: 0
	**Ghosts of the Northeast** by David Pitkin Signed Copy Finally, a book that surpasses the traditional fright genre of ghost stories. The author aims to get the reader's...	~~$18.95~~ $15.99 Save: 16% off Add: 0 Max: 7
	**Ghosts of the Northeast by David Pitkin by Donation** All proceeds of this purchase go to fund clean water projects in India through ASD's philanthropic outreach program, Water for Humanity! See below...	$20.00 Add: 0

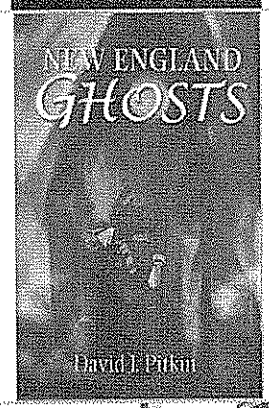


New England Ghosts by David Pitkin

Signed Copy Here are 135 researched ghost stories that you have never heard before. Historian, investigator and storyteller David J. Pitkin spent 9...

~~$24.95~~ $16.99
Save: 32% off

Add: 0
Max: 8

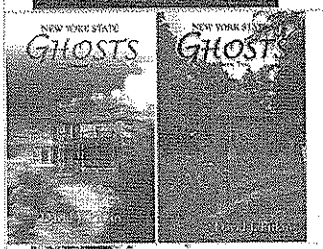


New England Ghosts by David Pitkin by Donation

All proceeds of this purchase go to fund clean water projects in India through ASD's philanthropic outreach program, Water for Humanity! See below...

$25.00

Add: 0

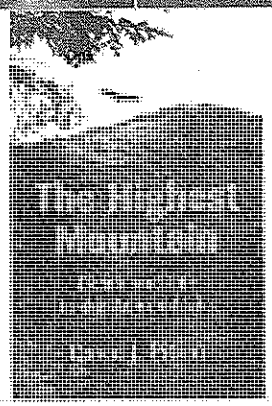


New York State Ghosts two Volume Set by David Pitkin by Donation

All proceeds of this purchase go to fund clean water projects in India through ASD's philanthropic outreach program, Water for Humanity! See below...

$40.00

Add: 0



The Highest Mountain by David Pitkin by Donation

All proceeds of this purchase go to fund clean water projects in India through ASD's philanthropic outreach program, Water for Humanity! See below...

$15.00

Add: 0

Displaying **1** to **7** (of **7** products)

Add Selected Items To Cart

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http://dowsers.org/getinvolved/donate-to-asd.html

Donate To Our Causes (This is the WFHF site)

Donate Now

- Dowse & Drill Well Sites
- Install & Maintain Pumps
- Compostible Toilets

Powers, Michael

From: William Getz [redacted]
Sent: Monday, May 30, 2016 12:46 PM
To: Powers, Michael
Subject: Fwd: 2016 ASD Water for Humanity Raffle and Bd Of Trustees 5/31 Agenda

Michael,
They are planning on using WFHF monies to pay legal fees. See BOT meeting agenda for 5/31.
Bill Getz

Proposed Agenda For May 31, 2016 Meeting

- Roll Call
- Approval of April Minutes
- Treasurer's report
- Convention
- Advertising
- Headquarters Report
- Attorney Response to Audit
- Board Resignations
- Appoint new Treasurer
- Motion on Legal Fees - WFHF
- Admin Oversight Re: Lifetime Membership

This email was sent to chapter Presidents soliciting for the frozen WFHF account.
Begin forwarded message:

From: Aime Millet [redacted]
Subject: Fw: 2016 ASD Water for Humanity Raffle
Date: May 28, 2016 at 5:24:00 PM EDT
To: [redacted]
Reply-To: Aime Millet [redacted]

On Saturday, May 28, 2016 12:15 PM, Katherine Inglin [redacted] wrote:

Dear Trent,

The ASD 2016 Convention in Saratoga Springs New York is fast approaching. We are certainly looking forward to attending.

As in years past, we will be holding a raffle to raise funds for Water for Humanity to help achieve the mission of teaching dowsing skills and building safe water wells in developing nations. ASD has every intention of continuing this work and will do so as soon as a new committee is formed. The convention raffle is one of Water for Humanity's biggest annual fundraisers and we need to assure that funds will be available to continue this lifesaving work.

It is our hope that your Chapter will make a donation to this cause. We'd love to see a donation from every ASD Chapter, either in the form of raffle items or a check to ASD for Water For Humanity. Your donations are tax deductible and we will acknowledge every contribution.

What type of raffle items are we looking for?

- Gift baskets of all sorts
- Local products
- Potions
- Lotions
- Pendulums, L-rods, and divining tools
- Crystals
- Metaphysical materials
- Books (great opportunity to showcase the works of your local chapter members)
- Handcrafted items
- Gift vouchers for distant readings, dowsing, or energy sessions
- Health products, essential oils

In short anything that might interest a Dowser or a student of metaphysics
Please contact your local chapter members and ask them how they would like to contribute.

Members attending convention can deliver your items to Saratoga Springs and drop them off at the WFH table near registration. Items shipped in advance can be sent to arrive **by June 14th** to:
ASD Water For Humanity Raffle
[redacted]

Should your chapter or your members wish to make a cash donation please send a check directly to:
ASD Water for Humanity Raffle
PO Box 24
Danville, VT 05828
We hope to meet many of you in person in June and thank you in advance for taking the time to share this request.

Eric and Kay Inglin, members of The Finger Lakes Chapter of ASD

Powers, Michael

From: Janis Fallon[redacted]
Sent: Wednesday, June 01, 2016 9:14 AM
To: Powers, Michael
Subject: American Society For Dowsers

Dear Mr. Powers:

I understand that you may be looking into financial and potential legal issues associated with the American Society for Dowsers (ASD) and I wished to share some information that I became aware of as part of the audit team this year. I am a life member of ASD and have in the past stayed out of the politics and organization and just attended the national convention and on two occasions helped teach the basic dowsing school. My cousin had also left me funds he asked me to give away and I had donated over $30,000 to Water for Humanity (WFH) and a few thousand dollars to ASD. WFH had low administrative fees, volunteers who put in their own time for decades and had done a lot of work on wells and projects in developing countries and the US. So after researching them, I was very impressed.

In any event, the Board of ASD began to go after the WFH for reasons I was unclear of but suspected both personal animosity and the ASD seemed to want the funds donated to this charity part of ASD. The Board removed first one person (Steve Herbert who had put in over 30 years of his own time and effort) and then froze WFH funds, and then removed all the members. I heard they were going to do an audit of WFH and ASD and as I was concerned over the motive and whether it would be a fair impartial process, I volunteered to join the audit team. I am a New York attorney and am not a financial person but have done regulatory compliance audits for several decades as an engineer and attorney so felt very comfortable with participating and suggesting a professional approach. I expected, being a primarily volunteer organization, that ASD and WFH would have some issues, and we would identify those and make recommendations to improve, fix them, and it would be a positive process.

The person I replaced on the three person team had quit as she felt it was not fair and was hostile in its approach and targeting WFH individuals. She had recommended to the Board that a professional outside audit be done as there were no people with any financial background on the team and the approach was not impartial or fair. She also suggested using finance/accounting college students and professors as the ASD president said they couldn't afford a professional audit.

While on the audit team I received some emails from the chair and started talking to people who may have anything relevant to understand how things worked, what requirements applied that we were measuring compliance against, etc. Within a week I quit as the chair made it clear that it was being done to justify board actions to eliminate WFH. She said she was blind copying the president on all communications and there was a lot going on behind the scenes and a lot of board members were in her chapter that she was chair of so I and the other person on the team didn't understand what this was about. The audit was supposed to cover ASD as well since they did all the handling and financial part including donations and check writing for WFH, but in my short time on the group it was only targeting WFH members and going off in tangents to "get WFH people". Any suggestions on approach or what I might do for the committee were not favorably looked at and our role was just to ok what the chair did and said. The chair was very focused on attacking WFH and not focusing on the whole process and appeared to be directed on what to attack as she was sending out hostile emails and accusations every time a document was received without reviewing further facts, asking questions or reviewing information with the committee. We were also given a thumb drive of information but I was asked to return it unopened when I said the process was not being done in a professional manner and we were being

directed by the board president I believed to justify their drastic actions against WFH to make it appear "legit". I also asked for a professional audit or someone at least with financial background on the committee. I gave up after a week and resigned. I understand that the audit is 40-45 pages and will be given out at the member meeting on the 16th with an ASD attorney response (requests to release it earlier so there was actually time to look at it were rejected by the ASD board). The Board had a call last night and just mentioned that there was a "lot of dirty underwear" exposed. And I don't even think it looked at much on the ASD side based on the audit scope and my limited involvement on what was going to be reviewed, though I could be wrong.

There were a few areas of concern that I had hoped to pursue that seemed unusual or had legal implications that I wanted to pass on as I understand you may be looking into some of these:

1. Accounting of funds coming into ASD and WFH was totally lacking. It appeared that all mail and funds went to one person at Headquarters (Lisa Lacross) who would open mail, deposit checks, and let the ASD treasurer and WFH know of donations. The WFH members could not write checks for WFH projects, did not receive the money or mail, or even get a good accounting of what was donated to them when they requested information (which I assume would be a restricted fund). Emails between WFH and Ms. Lacross seemed to indicate a lack of accounting into proper accounts. ASD could not provide WFH with accounts and information on donations. If WFH heard from a donor they often had to check with Ms. Lacross and the money had never been put into the WFH funds on numerous occasions so it was unclear if donations were going into ASD general funds or not being deposited and were missing. On 990's dollars into ASD were not categorized although ASD does not have many categories of income and expenses. This was an issue brought up by ASD CPAs and a grant funder that was being sought requested categorization as it was impossible to tell what was going to WFH restricted funds from donors. There appeared no checks and balances or accounting for money and not a good accounting trail or any checks and balances. It appeared money was either not making it into WFH or possibly going into ASD accounts or were not accounted for. At conventions I was told only Ms. Lacross would could money brought in to the bookstore and ASD and would not allow anyone to double count or verify amounts (this was hearsay from one person I talked to that was a financial person involved with ASD finance committee that I hoped to look into more during the audit in regards to the process and checks and balances). People on finance committees and grant committees could not get financial information either. As this appeared an ongoing issue brought up by ASD's own CPAs and volunteers, it appeared it had not been addressed or corrected. I was never able to get further to see if there was embezzlement/ stealing of funds or just poor accounting practices. Ms. Lacross is still there and has hired her daughter to work for her. I understand that while 990's did not show any WFH employee expenses as there were no employees, there are some ASD documents prepared by Ms. Lacross for budgets that show over $5,000 in WFH employee expenses. So there were a lot of questions regarding WFH donations and ASD handling and accounting and money handling that I felt could be very serious issues that appeared on the ASD side.

2. WFH funds were frozen and the entire committee removed this year. Several donors including myself have asked for an accounting of donations and the return of any unused funds or transfer to a new water nonprofit group that the Board had asked the removed members of WFH to form. The Board subsequently has said they will keep funds frozen and not make a decision on funding until the end of the year or early next year. They are also now thinking of giving the money away outside the ASD or making their own WFH people and group with a different mission and focus. Even though the WFH no longer has members and is frozen, there are plans to fund raise at the ASD convention this month for WFH and donors will be told the intent of WFH is still there. The Board has stated that it has or intends to use WFH donation monies for its own legal fees, which also would seem not something they can do legally. Although I do not know non-profit regulations or laws in Vermont or federal ones, I had concerns over donor monies for a specific purpose are not being used in for the purpose and intent it was donated and its inability to be used by the WFH at all with funds frozen and people all removed. Requests for accounting by donors to the board have had not response.

3. Another potentially serious tax issue was the use by chapters of the ASD of the ASD federal tax identification number. It appeared that ASD had no ideas which chapters were using the ID and any monies were not being accounted for on the ASD state and federal tax forms. ASD had no knowledge if chapters using the tax ID number were filing required taxes - though I believe if it is the ASD number, that ASD should have been collecting this information and including it within their tax filings. I understand at least one former ASD CPA and possibly the current one had brought this to the Board's attention in the past as a very serious matter that made them loose sleep, however, it did not appear that this has been addressed from the limited data and information I was able to collect.

I hope that some of this would be helpful to you. I have some emails that were shared initially when I was on the audit team or can refer you to some of the people that expressed concerns who may have more in-depth details. I am hoping that you will investigate further as I felt there were some illegal activities and these need to be addressed before the organization can correct the ongoing issues and move forward with a clean house in the right direction.

If you would like to reach me I am at [redacted] Thank you for your time and efforts.

Sincerely,

Janis Fallon
[redacted]

May 27th, 2016

Honorable William H. Sorrell
Vermont Attorney General's Office
109 State Street
Montpelier, VT 05609-1001

Dear Attorney General Sorrell,

As a caring member of a nonprofit organization in VT, I regret to have to let you know of my concern about The Water for Humanity Fund (WFHF), the charitable arm of The American Society of Dowsers (ASD). I am writing this as a present member of the board of trustees (for the last 11 months), finding myself with a minority vote in just about every decision. I am seeing these issues from the inside. The fund was formed (in 1991) with the highest of intentions to do good in the world, yet now, the present executive committee and others of the board of trustees, in my view, are not carrying out that purpose and not caring about the requests of donors to the Water for Humanity Fund .

At this point I can no longer be part of this board, as the majority, for one thing, continue to act with what I see as the lack of management (or mismanagement) of the small yet valuable fund. More importantly is the disregard for the donor's wishes- as well as the lack of caring about the people in need waiting for the funds that the ASD president froze. The executive committee believes money can still be solicited though, without a fund manager or plan for the donations .

I wouldn't be writing just because this group has acted mean, vindictive and petty. Now I see them wanting to use WFHF donor's money (intended for water projects), for attorney fees to contest complaint letters. I was told at the board meeting, and perhaps they want to believe, that some of the monies are unrestricted and they can do what they want. Now I know that is not the case. Perhaps ASD is small, with under 2000 international members and has not raise hundreds of thousands of dollars, yet these few in control are not acknowledging and honoring our members and donors. Surprisingly emails were sent revealing these intentions. I have copies of emails, have had phone conversations and am in contact with other officers and office staff, with similar feelings that bring this to light.

Respectfully submitted,

Rebecca Gurland

Rebecca Gurland

[redacted]

Powers, Michael

From: Powers, Michael
Sent: Monday, August 22, 2016 11:50 AM
To: Daloz, Todd
Subject: American Society of Dowsers

Just spoke to a former member of the finance committee (a member – not a board member), who is also a CPA. According to her:

1. The board failed to provide financial information to the committee for the 4 months she was on it – November 2015 to March 2016 (leading to the question of the committee's purpose).
2. Two board members who are not officers have been denied all but quick summaries of finances – there was no direct access to the books.
3. No financial information was provided to the members at the last annual meeting (June), on the grounds that the treasurer had resigned shortly before – even though the report to be presented covered 2015.

We might have violations of 11B, sec. 16.

Michael T. Powers
Investigator
Vermont Office of the Attorney General
109 State Street
Montpelier VT 05609-1001
802-828-0096
michael.powers@vermont.gov

Cornell-Brown, Rowan

From: Idaho Dowsers <idahodowsers@gmail.com>
Sent: Wednesday, June 14, 2017 2:21 PM
To: Powers, Michael
Subject: American Society of Dowsers
Attachments: Ethics Charges 061417PDF.pdf

Michael,

Will you keep an eye on this situation? Janis says that she intends to bring this to you formally if ASD does not resolve these issues.

Thanks,
Amelia "Amy" Loomis, MSW, CCHt
[redacted]

---------- Forwarded message ----------
From: **Janis Fallon** [redacted]
Date: Wed, Jun 14, 2017 at 12:27 AM
Subject: Ethics Charges
To: asd@dowsers.org, Martin Lucas <president@dowsers.org>, asdvicepresident@dowsers.org, asdrecorder@dowsers.org, asdsecretary@dowsers.org, asdtreasurer@dowsers.org, leeann@dowsers.org

Attached please find charges being filed with you the ASD Board as required by the Bylaws and the Vermont Nonprofit Corporations statute brought by the members of the ASD listed in the cover letter.

Sincerely,

Janis Fallon

[redacted]

June 14, 2017

Board of Trustees
American Society of Dowsers
PO Box 24
Danville, VT 05828

RE: Ethics Charges
Delivered by email to asd@dowsers.org, president@dowsers.org, asdvicepresident@dowsers.org, asdrecorder@dowsers.org, asdsecretary@dowsers.org, asdtreasurer@dowsers.org, leeann@dowsers.org
Sent via US Mail Certified Return Receipt (with exhibits) and email (without exhibits)

Dear Members of the Board of the American Society of Dowsers Mr. Martin Lucas, Ms. Annette Weis, Ms. Sandra Isgro, Ms. Sandra Ruelke, Mr. Alan (Tick) Gaudreau, Mr. Matthew Minor, Ms. Lee Ann Potter, Mr. Keith Schaffer

It is with great sorrow that we are filing the attached ethics charges against specific American of Society of Dowsers ("ASD") members in their roles as members and/or Board of Trustees current/former members and officers. Substantial harm and damages have been inflicted against current and former members of the ASD by these people individually and as a Board. It is our sincere hope that these charges, subsequent investigation, and action on the charges will be in the highest good of the ASD and help to restore the faith, trust, and integrity of this organization of which we are proud members. We bring these charges after much reflection, dowsing for what is in the highest good of this organization, and consideration of the best options to achieve a healing of the damages done.

We are hereby filing the attached ethics charges against the following members individually and as current or former members of the Board of Trustees of the American Society of Dowsers (ASD): Mr. Martin Lucas, Ms. Annette Weis, Ms. Sandra Isgro, Ms. Sandra Ruelke, Ms. Lee Ann Potter, Ms. Diane Bull, Mr. Kevin O'Brien, and Mr. Keith Schaffer. If as of the date of these charges or at any time during the disciplinary process these members are not members of the Board, these individuals are also being charged as members.

Attachment 1 contains the list of charges and exhibits. Due to the large volume of exhibits, the index of exhibits is listed and hard copy has been mailed to the ASD as support for these charges for the Ethics Committee's use.

It is our belief that these Board members have violated members' constitutional rights, State and Federal laws and regulations, the ASD bylaws and procedures, and their fiduciary duties of care and loyalty. This has resulted in serious mental, emotional and financial harm to members of the ASD due to acts of libel, slander, defamation of character, and infliction of serious financial damages and harm, especially to those whose life memberships were wrongly terminated resulting in thousands of dollars of damages, and exposure of the organization to potential civil and criminal violations.

Per the bylaws Chapter XV Section 2 Disciplinary Process, those individuals who are not on the Board of Trustees as of the date of this filing have the right for the complaint to be heard by their Chapter if a member of a Chapter, then by the Regional Vice President and finally the Board of Trustees (who have not been charged). For those individuals in the position on the Board as of the date of this filing, the Board of Trustees must appoint an independent committee of at least three members to conduct an investigation, ideally to contain former trustees in good standing. After the receipt of any responses from the Defendants(s) the Ethics Committee must conduct a thorough and fair investigation and provide a report to the Board members (who have not been charged). Those Board members their decision, including disciplinary action within 30 days. The decision must be communicated expeditiously to all parties. Per §2 (a)(2) those Trustees and Officers against whom this complaint has been brought must refrain from making decisions relating to <u>any</u> of the complaints until the investigation is completed.

The Board (i.e. those without charges against them) must ensure that the disciplinary procedures (mandated by State statute and Bylaws) are followed, that the process is fair, that a fair and independent review of the charges are done, that both the complainants and defendants have the opportunity to be heard, that the decision for disciplinary action(s) is based on the facts and evidence.

As part of the review and any hearings discussions or meeting regarding these charges, we and those harmed by the Board's actions are happy to provide additional substantiating evidence and documentation that is not in the possession of the ASD as requested by the Ethics Committee during its investigation. We would encourage the Ethic Committee to contact and hear direct testimony from those harmed as this will provide additional details and documentation, as well as provide for information on the individual harms and damages. Please let me know of any additional information that is needed to reach a final determination on these charges. In some areas of the charges we note where information is in the possession of the ASD/Board and we are unable to obtain it, but assume the Ethics Committee will seek this information and it will be made available to them.

Based on the severity of the charges we would expect that the Ethics Committee at a minimum will: (1) remove these individuals from the Board or remove their ASD membership if the Ethics Committee so recommends based on the severity of these charges, prohibit the charged individuals from holding or being appointed to ASD positions (e.g. ASD committees, appointment to the Board, etc.), (2) retract charges and reinstate lifetime memberships and at least one year of membership to those that are not lifetime members, and (3) take corrective actions to address the other charges to resolve the violations or wrongdoing identified.

Failure to follow the ASD Bylaws and have a fair and impartial disciplinary process in accordance with the Vermont Nonprofits Corporations statute and ASD Bylaws permits filing complaints with the Vermont Department of State and Attorney General's for the statutory violations cited in those Statutes and/or requests for judicial intervention. In addition, individuals harmed reserve their rights to seek other civil and legal remedies, IRS complaints and other legal remedies. This is would only continue the disharmony and conflict in the organization, therefore we strongly encourage and expect that these charges will be handled fairly and in accordance with ASD Bylaws and statutory requirements and those harmed by the charged members' actions will be made whole.

We, the Complainants, and those harmed by these actions (directly and indirectly) including the membership of the ASD, reserve the right to request from the ASD additional information pertinent to these charges that is required to be maintained by law or per the ASD's retention policies and practice.

Additionally, we reserve the right to representation at any hearings or meetings in regard to these charges, and reserve the right to file additional charges and evidence.

We certify that to the best of our knowledge and belief, based on a review of documentation and interviews of current and former ASD members that the charges being brought are true.

Sincerely,

Original hard copy signed by Janis Fallon

Janis E. Fallon, Esq.
On behalf of the ASD members listed on the following page who are the Complainants filing this Ethics Charge

ASD Members Filing This Complaint - "The Complainants"

Janis Fallon, Esq.
ASD Life Member
336 Bulson Road
Troy, NY 12180
[redacted]

Susanne Dillon
[redacted]

Laney Record
[redacted]

Holly Richardson
[redacted]

Kathy O'Reilly
[redacted]

Marilyn Gang
[redacted]

Melinda Vieux
[redacted]

Merrill Cook
[redacted]

Cherine Chagnon
[redacted]

Glen Johnson
[redacted]

Mary Fitzgerald
[redacted]

William Getz
[redacted]

Barbara Herzog McMaster
[redacted]

Lorna Reichel
[redacted]

Rebecca Gurland
[redacted]

Attachment 1 – Ethics Charges Against ASD Current/Former Board Members: Mr. Martin Lucas, Ms. Annette Weis, Ms. Sandra Isgro, Ms. Sandra Ruelke, Ms. Lee Ann Potter, Mr. Keith Schaffer, Ms. Diane Bull, and Mr. Kevin O'Brien as individual members and current or former Board of Trustee members

Dated June 14, 2017

I. Unlawful and Improper Removal of ASD Memberships Including Life Memberships

The charged members while Board members have terminated 18 memberships, including life memberships, in violation of Vermont State Law and ASD Bylaws and this has resulted in significant personal and financial damages, particularly in regards to life memberships which are valued at thousands of dollars. As described below in all cases the Board failed to follow these requirements. The legal requirements are listed below with a summary of the violations that occurred in all cases, followed by the specific individuals harmed and details and evidence relevant to each specific charge.

The Vermont Nonprofit Corporations Laws (11B V.S.A.) §6.31 requires that no member's membership may be terminated except by a procedure which is fair and reasonable and carried out in good faith. To be fair and reasonable the procedure must be set forth in the articles or bylaws and (1) provide for at least 15 days prior written notice of the termination and the reasons therefor and (2) an opportunity for the member to be heard, orally or in writing, not less than five days before the effective date of the termination by person(s) authorized to decide the proposed termination not take place; or it is fair and reasonable taking into consideration all of the relevant facts and circumstances. All written notices must be by first class or certified mail the address shown on the organization's records.

The ASD bylaws Chapter XV. Code of Ethics, Section 2. Disciplinary Process requires that:

(1) For complaints or grievances (including termination of membership) be filed with their Chapter President or Vice President. If the member is not with a chapter the process must start with region's RVP.
(2) If it cannot be resolved at this level then the Board must assemble an Ethics Committee. For those members that are/were Trustees or Officers, the Board is required to set up an independent committee of at least three members to conduct the investigation. If the charges are against those who are not Trustees or Officers, then the entire Board is the Ethics Committee (not just Officers).
(3) After receipt of written statement from Complainant and Defendants, then the President must distribute these to the Ethics Committee for evaluations. A record of their decision by a 2/3 vote and disciplinary actions within 30 days must be made and communicated.

In its termination of memberships, the Board did not follow Vermont State Law or its own Bylaws (Chapter XV §2) and is in violation of these. Specifically the violations in all cases are:

1. There was no 15 days prior written notice of the termination and the reasons therefore – in all cases no specific charges were identified for misconduct.
2. There was no complaint by a member in good standing. The Board issued generic ethics charge letters.

3. There was often disciplinary action taken without filing of a compliant or following legal requirements.
4. There were no opportunities for members' due process and to be heard, orally or in writing (at least five days before termination). Those who responded requesting information on what the charges were did not receive responses. All members had no opportunity to be heard.
5. Complaints were not filed with the chapter initially as required as the Chapter is required to resolve the charges if possible. One person harmed went to the Chapter as required to assist assistance and the charged members did not provide the Chapter President the opportunity to resolve the issue, instead they terminated his membership and brought charges against him.
6. Complaints were not allowed to move to the second step which requires that if the Chapter cannot resolve them, then the Regional President takes the complaint and attempts to resolve it.
7. The charged members did not assemble Ethics Committee as required for a fair and impartial hearing.
8. In some cases, partial board membership (i.e. the Executive Committee) met in closed sessions and decided on disciplinary action without following requirements for a 2/3 vote of the Board.
9. The decision of the Board must be communicated within 30 days of the vote of the Board based on the Ethics Committee's investigation. This was not done and in many cases those charged had no communication to this day and do not know the outcome of the vote. Some had memberships (including life memberships terminated) and other received no follow-up after the initial generic Ethics Charge letter.
10. Charges were brought for resignations and other reasons that are not misconduct and specifically protected by State Statute.

There also were instances of unethical and improper hostile communications by Board members against those charged. In none of these charges was there a fair and impartial process. Not only were the actions illegal, they were also unethical and have seriously damaged individuals and the ASD membership and organization. In particular, the Board appeared to target any individuals who were associated with the Water for Humanity Fund.

The Board also removed individuals from their roles of Chapter Officers and leaders even for Chapters that are independent of the ASD, i.e. Chapters that have separate IRS tax identification numbers and are, thus, independent from ASD. This action was beyond the Board's jurisdiction and also does not comply with Bylaws or state and federal laws.

Removing membership illegally and improperly has resulted in significant and substantial harm including removal of chapter leadership impacting the individual and chapters negatively, financial impacts of thousands of dollars for life memberships, harmed reputations and businesses.

Each individual whose membership was improperly removed is listed in individual charges below. It is requested that the Ethics Committee handling these charges also directly discuss the charges and impact with these individuals as these members have the right to the due process they requested and were denied as described below and have considerable details and

information pertinent to the charges being brought against the Board members identified in this complaint.

TRUSTEES

Charge 1: Sandee Mac

Sandee Mac, Board of Trustees, Executive President, Vice President.

We are unable to locate a formal charge letter against Ms. Sandee Mac for initial charges cited by the Board and request a copy of this from the charged Board members. In a letter dated January 15, 2015, Ms. Mac from Sandi Ruelke stating that at a Board meeting on September 16, 2014 Ms. Mac was given additional time to reply to charges (Exhibit 1). It is believed that there may have been no formal charge letter or disciplinary process followed as required.

On October 31, 2014 Sandee Mac President and four other Trustees resigned (Exhibit 2) citing irresolvable conflicts with the Board of Trustees for 18 months.

In a letter dated January 15, 2015, Ms. Mac from Sandi Ruelke stating that at a Board meeting on September 16, 2014 Ms. Mac was given additional time to reply to charges (Exhibit 1). The letter states that Ms. Mac's (life) membership was terminated for two years as of December 17, 2014. Ms. Mac, as a member, was not given the opportunity to have the charges resolved at the chapter or Regional Vice President level nor was she if charged when a Trustee given the opportunity to have an independent Ethics Committee hear her charges. She was not provided any specific charges in the termination letter, except it was due to her resignation. To date the Board has not notified Ms. Mac of reinstatement of her membership after the two year disciplinary period they imposed.

Resignation from the Board is not misconduct; both Vermont Non-Profit Corporations Law and the Bylaws provide for resignations, it would be illegal to prohibit resignations by members; including Trustees. Vermont Nonprofits Law 11B §8.07 and §8.43 specifically provide that a director (trustee) or officer may resign at any time by delivering written notice to the board, its chair, president or other officer responsible for recording the minutes. That is also why there are requirements for a minimum of Board members – three by Vermont State Law and the Bylaws posted on the ASD website state that 7 Trustees be required[1]. Therefore any ethics charges and disciplinary action brought on the basis of a resignation is illegal.

Ms. Marilyn Gang, long time ASD member and former Trustee, protested the malicious firing of Steve Herbert as soon as it was announced, at the January 16, 2016 Trustee meeting, and with several subsequent follow-ups via email. As a former trustee, familiar with the individual members of the Board of Trustees, she had never had previous contact with charged board member Keith Shaffer, as his activities were mostly relegated to

[1] It is believed that the Bylaws have been updated since 2007, however as noted in other charges, results of election changes to Bylaws have not been posted in the Digest nor are any newer versions of the Bylaws available on the ASD website so this is based on the Bylaws posted for on the Membership Only section of the ASD website.

helping maintain the building and grounds of ASD headquarters. Charged board member Keith Shaffer telephoned her on January 27th, 29th and February 3, 2016 and a voice mail was left on February 2, 2016. She provided testimony on these calls in Exhibit 3, as she felt the calls were inappropriate and that the members of the Executive Committee directed him to call her and that they demonstrated the hostile intent of the Board. In the calls Mr. Shaffer speaks about how he "got" Sandee Mac and improprieties she committed, however these have never been provided to Ms. Mac as charges nor were they provided the 2016 Audit Committee. He also discussed getting Adhi Two Owls out and Steve Herbert which is discussed in other sections. Ms. Gang emphasized to Mr. Shaffer that Mr. Herbert had done nothing wrong and Mr. Shaffer said they had proof. When Ms. Gang asked what the proof was and when the membership would see it, Mr. Shaffer indicated when the time was right. Ms. Gang has never seen or been provided any proof.

Ms. Mac though at the time a non-member had a second set of charges brought against her. On August 4, 2016 Martin Lucas sent a form letter (Exhibit 4) to Daniel Prater (who was noted as not an ASD member), Michelle Hicks, Steven Herbert, Jose Cueto (also noted as a non-member), Frankie Hutton, Jean McDonald, Jennifer Anderson, Amy Loomis (noted as an advisor), Dreama Brower (noted as an coordinator or advisor), Don Black (noted as a non-member, Susanne Dillon (noted as former Chair of Raffle) and Sandee Mac (also noted as a non-member). The letter indicated ethics charges being brought based on their part of Water for Humanity Fund. It states that this notice will affect their ability to rejoin the ASD which is in violations of the Bylaws Chapter XV§(c)(5). In regards to Ms. Mac, it states that the portion only applies if she reapplies for membership and is in regards to granting Steven Herbert a life membership.

As noted, Ms. Mac was not a member and Vermont Nonprofits Corporation Law and the Bylaws only provide for discipline against those who are members, trustees and officers. It is beyond the Board's jurisdiction to bring charges against individuals who are not members of the ASD. The threat of future charges against Ms. Mac if she again becomes a member is also an inappropriate threat to prevent her from exercising her rights under the Law and Bylaws.

On August 25, 2016 Ms. Mac responded to Mr. Lucas denying all allegations and the unlawful taking of her lifetime membership (Exhibit 5). She stated that the Bylaws were not followed as required by the Bylaws and invoked her rights as a member for the charge to be first taken up by her local chapter and Regional Vice President in accordance with the bylaws. No response has been received nor were the procedures required by Vermont State Law or the Bylaws followed that allow her to resolve the charges at the Chapter and Regional Vice President letter.

A form termination letter was sent to the resigning trustees from Sandi Ruelke dated March 4, 2015 stating that membership (including life memberships) was terminated due to the resignation of the Trustees (Exhibit 6 contains an example of one of the form letters). We request from the charged members of the Board a copy of any additional disciplinary letter sent to Ms. Mac.

The Board selectively charged Ms. Mac with giving Steven Herbert a Life Membership (more fully described in other charges). This honorary membership was brought to the membership and the membership exhibited no objections – in fact there was a standing ovation. As noted in other charges, numerous members have been given Life Memberships and this is the only one that the Board filed charges regarding. In fact the Board sponsors a raffle yearly for life membership which also is awarded without membership vote. The Board allows life members who win this raffle to transfer it without approval of the membership or board.

In this charge the charged Board members did not follow the Vermont law nor Bylaws either time Ms. Mac was charged. There was (1) no complaint filed by an ASD member with specific charges, (2) the charge for resignation is not misconduct under the law or Bylaws, (3) the Board made charges against a non-ASD member when Ms. Mac was charged the second time, (4) the Board did not provide an opportunity for due process allowing the charged member to provide evidence and be heard by her Chapter, the Regional Vice President or by an impartial Ethics Committee, (5) Requests for charge information were not responded to preventing any defense, (6) the Board selectively charged Ms. Mac for giving an Honorary Life Membership while others have been given and the Board sponsors an annual life membership raffle, given without membership vote on the recipient and allowed raffle winners to transfer the life membership won without vote by the membership on the recipient, (7) there was no 15 day prior notice of termination required by Vermont Law, (8) there was no communication of the vote and decision within 30 days. This is in violation of the Vermont Nonprofit Corporations Law and Bylaws resulting in potential legal liability and significant harm to the individual both emotionally and financially.

Charge 2: Marty Cain

Marty Cain – ASD Board of Trustees, Executive Co-Vice President, Convention Committee, Education Committee, PPM and By-Laws Committee

On October 31, 2014 Marty Cain and four other Trustees resigned (Exhibit 1) citing irresolvable conflicts with the Board of Trustees for 18 months.

On January 15, 2015 a form charge letter was sent from Sandi Ruelke from the Board to Ms. Cain and the other four trustees who resigned and required the Trustees to provide a written response to the Board within 14 days (Exhibit 6 provides an example of one letter). No opportunity was provided to be heard by a chapter or Regional Vice President as required by the Bylaws and the disciplinary process required by Vermont State Law and the Bylaws was not followed.

A form termination letter was sent to the resigning trustees from Sandi Ruelke dated March 4, 2015 stating that membership (including life memberships) was terminated due to the resignation of the Trustees (Exhibit 7 contains an example of one of the form letters). The members were told that could reapply for membership in 2017, presumably requiring payment of another life membership fee (based on age and often several thousand dollars).

Resignation from the Board is not misconduct, both Vermont Non-Profit Corporations Law and the Bylaws provide for resignations, it would be illegal to prohibit resignations by members, including Trustees. Vermont Nonprofits Law 11B §8.07 and §8.43 specifically provide that a director (trustee) or officer may resign at any time by delivering written notice to the board, its chair, president or other officer responsible for recording the minutes. That is also why there are requirements for a minimum of Board members – three by Vermont State Law and the Bylaws posted on the ASD website state that 7 Trustees be required[2]. Therefore any ethics charges and disciplinary action brought on the basis of a resignation is illegal.

In addition as detailed in other charges below, those charged have illegally infringed on Ms. Cain's copyright and intellectual property rights and used copyrighted drawings and text directly from her books without permission or attribution. One of the charges members, Sandra Isgro has listed herself as an author of the ASD's "First Edition of the ASD Beginning Dowsing Manual" illegally incorporating Ms. Cain's copywritten creations.

In this charge the charged Board members did not follow the Vermont law nor Bylaws. There was (1) no complaint filed by an ASD member with specific charges, (2) the charge for resignation is not misconduct under the law or Bylaws, (3) the Board made charges against a non-ASD member, (4) the Board did not provide an opportunity for due process allowing the charged member to provide evidence and be heard by her Chapter, the Regional Vice President or by an impartial Ethics Committee, (5) there was no 15 day prior notice of termination required by Vermont Law, (6) there was no communication of the vote and decision within 30 days, and (7) there were copyright and intellectual property violations. This is in violation of the Vermont Nonprofit Corporations Law and Bylaws resulting in potential legal liability and significant harm to the individual both emotionally and financially.

Charge 3: Bill Bonnell

Bill Bonnell – ASD Board of Trustees, Executive Co-Vice President, PPM and By-laws Committee, Water for Humanity Committee, Buildings and Grounds Committee

On October 31, 2014 Bill Bonnell and four other Trustees resigned (Exhibit 2) citing irresolvable conflicts with the Board of Trustees for 18 months.

On January 15, 2015 a form charge letter was sent from Sandi Ruelke from the Board to Ms. Cain and the other four trustees who resigned and required the Trustees to provide a written response to the Board within 14 days (Exhibit 6 provides an example of one letter). No opportunity was provided to be heard by a chapter or Regional Vice President as required by the Bylaws and the disciplinary process required by Vermont State Law and the Bylaws was not followed.

[2] It is believed that the Bylaws have been updated since 2007, however as noted in other charges, results of election changes to Bylaws have not been posted in the Digest nor are any newer versions of the Bylaws available on the ASD website so this is based on the Bylaws posted for on the Membership Only section of the ASD website.

A form termination letter was sent to the resigning trustees from Sandi Ruelke dated March 4, 2015 stating that membership (including life memberships) was terminated due to the resignation of the Trustees (Exhibit 7 contains an example of one of the form letters). The members were told that could reapply for membership in 2017, presumably requiring payment of another life membership fee (based on age and often several thousand dollars).

Resignation from the Board is not misconduct, both Vermont Non-Profit Corporations Law and the Bylaws provide for resignations, it would be illegal to prohibit resignations by members, including Trustees. Vermont Nonprofits Law 11B §8.07 and §8.43 specifically provide that a director (trustee) or officer specifically provides that a director (trustee) may resign at any time by delivering written notice to the board, its chair, president or other officer responsible for recording the minutes. That is also why there are requirements for a minimum of Board members – three by Vermont State Law and the Bylaws posted on the ASD website state that 7 Trustees be required[3]. Therefore any ethics charges and disciplinary action brought on the basis of a resignation is illegal.

In this charge the charged Board members did not follow the Vermont law nor Bylaws. There was (1) no complaint filed by an ASD member with specific charges, (2) the charge for resignation is not misconduct under the law or Bylaws, (3) the Board made charges against a non-ASD member, (4) the Board did not provide an opportunity for due process allowing the charged member to provide evidence and be heard by her Chapter, the Regional Vice President or by an impartial Ethics Committee, (5) There was no 15 day prior notice of termination required by Vermont Law, and (6) there was no communication of the vote and decision within 30 days. This is in violation of the Vermont Nonprofit Corporations Law and Bylaws resulting in potential legal liability and significant harm to the individual both emotionally and financially.

Charge 4: Kate Whitefield

Kate Whitefield (deceased) – ASD Board of Trustees, Executive Secretary, PPM and By-Laws Committee, International Outreach Committee

On October 31, 2014 Kate Whitefield and four other Trustees resigned (Exhibit 2) citing irresolvable conflicts with the Board of Trustees for 18 months.

On January 15, 2015 a form charge letter was sent from Sandi Ruelke from the Board to Ms. Cain and the other four trustees who resigned and required the Trustees to provide a written response to the Board within 14 days (Exhibit 6 provides an example of one letter). No opportunity was provided to be heard by a chapter or Regional Vice President as required by the Bylaws and the disciplinary process required by Vermont State Law and the Bylaws was not followed.

[3] It is believed that the Bylaws have been updated since 2007, however as noted in other charges, results of election changes to Bylaws have not been posted in the Digest nor are any newer versions of the Bylaws available on the ASD website so this is based on the Bylaws posted for on the Membership Only section of the ASD website.

A form termination letter was sent to the resigning trustees from Sandi Ruelke dated March 4, 2015 stating that membership (including life memberships) was terminated due to the resignation of the Trustees (Exhibit 7 contains an example of one of the form letters). The members were told that could reapply for membership in 2017, presumably requiring payment of another life membership fee (based on age and often several thousand dollars).

Resignation from the Board is not misconduct, both Vermont Non-Profit Corporations Law and the Bylaws provide for resignations, it would be illegal to prohibit resignations by members, including Trustees. Vermont Nonprofits Law 11B §8.07 and §8.43 specifically provide that a director (trustee) or officer specifically provides that a director (trustee) may resign at any time by delivering written notice to the board, its chair, president or other officer responsible for recording the minutes. That is also why there are requirements for a minimum of Board members – three by Vermont State Law and the Bylaws posted on the ASD website state that 7 Trustees be required[4]. Therefore any ethics charges and disciplinary action brought on the basis of a resignation is illegal.

In this charge the charged Board members did not follow the Vermont law nor Bylaws. There was (1) no complaint filed by an ASD member with specific charges, (2) the charge for resignation is not misconduct under the law or Bylaws, (3) the Board made charges against a non-ASD member, (4) the Board did not provide an opportunity for due process allowing the charged member to provide evidence and be heard by her Chapter, the Regional Vice President or by an impartial Ethics Committee, (5) there was no 15 day prior notice of termination required by Vermont Law, and (6) there was no communication of the vote and decision within 30 days. This is in violation of the Vermont Nonprofit Corporations Law and Bylaws resulting in potential legal liability and significant harm to the individual both emotionally and financially.

Charge 5: Lisa McCrory

Lisa McCrory – ASD Board of Trustees, Executive Co-President, Secretary, Finance Committee, Water for Humanity Committee, PPM and By-Laws Committee, OM Hiring Committee

On October 31, 2014 Lisa McCrory and four other Trustees resigned (Exhibit 1) citing irresolvable conflicts with the Board of Trustees for 18 months.

On January 15, 2015 a form charge letter was sent from Sandi Ruelke from the Board to Ms. Cain and the other four trustees who resigned and required the Trustees to provide a written response to the Board within 14 days (Exhibit 6 provides an example of one letter). No opportunity was provided to be heard by a chapter or Regional Vice President as required by the Bylaws and the disciplinary process required by Vermont State Law and the Bylaws was not followed.

[4] It is believed that the Bylaws have been updated since 2007, however as noted in other charges, results of election changes to Bylaws have not been posted in the Digest nor are any newer versions of the Bylaws available on the ASD website so this is based on the Bylaws posted for on the Membership Only section of the ASD website.

Ms. McCrory responded to Ms. Ruelke on January 27, 2015 requesting that the Board follow the Bylaws for asserting a grievance or complaint (Exhibit 8). She also asserted her right to take any written complaint or grievance to her Chapter or Regional Vice President for resolution as required by the Bylaws. Ms. McCrory had no response to her letter and the disciplinary process did not follow Vermont State Law or the Bylaws.

A form termination letter was sent to the resigning trustees from Sandi Ruelke dated March 4, 2015 stating that membership (including life memberships) was terminated due to the resignation of the Trustees (Exhibit 7 contains an example of one of the form letters). The members were told that could reapply for membership in 2017, presumably requiring payment of another life membership fee (based on age and often several thousand dollars).

Resignation from the Board is not misconduct, both Vermont Non-Profit Corporations Law and the Bylaws provide for resignations, it would be illegal to prohibit resignations by members, including Trustees. Vermont Nonprofits Law 11B §8.07 and §8.43 specifically provide that a director (trustee) or officer specifically provides that a director (trustee) may resign at any time by delivering written notice to the board, its chair, president or other officer responsible for recording the minutes. That is also why there are requirements for a minimum of Board members – three by Vermont State Law and the Bylaws posted on the ASD website state that 7 Trustees be required[5]. Therefore any ethics charges and disciplinary action brought on the basis of a resignation is illegal.

In this charge the charged Board members did not follow the Vermont law nor Bylaws. There was (1) no complaint filed by an ASD member with specific charges, (2) the charge for resignation is not misconduct under the law or Bylaws, (3) the Board made charges against a non-ASD member, (4) the Board did not provide an opportunity for due process allowing the charged member to provide evidence and be heard by her Chapter, the Regional Vice President or by an impartial Ethics Committee, (5) there was no 15 day prior notice of termination required by Vermont Law, and (6) there was no communication of the vote and decision within 30 days. This is in violation of the Vermont Nonprofit Corporations Law and Bylaws resulting in potential legal liability and significant harm to the individual both emotionally and financially.

Charge 6: Jean McDonald

Jean McDonald, Trustee, Liaison to WFHF

Ms. Jean McDonald was informed of disciplinary action, a three months' probation after an October 19, 2015 Board Meeting by phone. No complaints were filed identifying the charges for the disciplinary action, there was no Ethics Committee formed, no opportunity to defend or provide evidence in violation of Vermont State Law and the Bylaws.

[5] It is believed that the Bylaws have been updated since 2007, however as noted in other charges, results of election changes to Bylaws have not been posted in the Digest nor are any newer versions of the Bylaws available on the ASD website so this is based on the Bylaws posted for on the Membership Only section of the ASD website.

In June 2015, Ms. McDonald was asked to be a Board Liaison with the Water For Humanity Fund Committee (along with Jennifer Anderson). In December 2015, Ms. McDonald and Ms. Anderson were informed that the Board Executive Committee had voted to remove Steve Herbert form the Water for Humanity Fund and "retire" him at the June 2016 convention. Ms. McDonald and Ms. Anderson urged the Board to reconsider as the organization was working well and Mr. Herbert was the "heart and soul" of the WFHF Committee.

After Mr. Lucas became president, Ms. McDonald indicated that she and other Board members were threatened with removal if they shared information outside Board meetings (which by law are required to be documented and provided to the membership). Ms. McDonald also confirmed that Mr. Lucas urged the Water for Humanity Fund (WFH) committee members to start a new non-profit that would receive the funds. Charges and details related to Water for Humanity are discussed in other charges, including her expressed concern with use of WFHF donations for ASD's general expenses and other charges brought in this document.

On May 18, 2016 (Exhibit 9) Jean resigned from the Board based on conflicts on the Board.

On May 18, 2016 an unsigned letter (Exhibit 10) from the ASD Executive Committee was sent to the members of ASD regarding Ms. McDonald's resignation. The letter is negative in tone and it was inappropriate to send to the membership attacking a member for raising concerns and explaining her resignation. It is also inappropriate for a small unnamed group of the Board to send this out without approval or involvement by the entire Board.

On August 4, 2016 Martin Lucas sent a form letter to Daniel Prater (who was noted as not an ASD member), Michelle Hicks, Steven Herbert, Jose Cueto (also noted as a non-member), Frankie Hutton, Jean McDonald, Jennifer Anderson, Amy Loomis (noted as an advisor), Dreama Brower (noted as an coordinator or advisor), Don Black (noted as a non-member, Susanne Dillon (noted as former Chair of Raffle) and Sandee Mac (also noted as a non-member) (Exhibit 4). The letter indicated ethics charges being brought based on their part of Water for Humanity Fund. It states that this notice will affect their ability to rejoin the ASD which is in violations of the Bylaws Chapter XV§(c)(5). The letter and attachment referring to the 2016 audit does not mention any specific charges against Ms. McDonald by name, therefore it cannot be determined nor can Ms. McDonald defend herself against unspecified actions.

As a member subject to discipline, the Board was required by the Bylaws (Chapter XV §2) to allow the complaint to be first resolved by the Chapter and subsequently the Regional Vice President, no opportunity to do this was provided.

In a form letter to some of the persons charged on August 4, 2016, dated January 13, 2017 from Martin Lucas, the Board terminated life and regular membership (Exhibit 11) provides one of the form letters sent.) The letter states that evidence was not provided and the termination is based on the audit. The letter indicates that the Board voted to terminate the membership at a November 2016 meeting. As noted no specific charged were ever alleged nor an opportunity to follow the Bylaw and Vermont Nonprofit Corporations requirements.

In this charge the charged Board members did not follow the Vermont law nor Bylaws. There was (1) no complaint filed by an ASD member with specific charges, (2) the charge for resignation is not misconduct under the law or Bylaws, (3) the Board did not provide an for the charges to be resolved by the Chapter or Regional Vice President or for an independent Ethics Committee, (4) the Board did not provide an opportunity for due process allowing the charged member to provide evidence and be heard, (5) there was no 15 day prior notice of termination required by Vermont Law, and (6) there was no communication of the vote and decision within 30 days. This is in violation of the Vermont Nonprofit Corporations Law and Bylaws resulting in potential legal liability and significant harm to the individual both emotionally and financially.

Charge 7: Adhi Two Owls – Board of Trustees, President

Ms. Adhi Two Owls was forced to resign by the ASD Board – Martin Lucas indicated due to her handling of Steven Herbert's charges.

Ms. Marilyn Gang, long time ASD member and former Trustee, protested the malicious firing of Steve Herbert as soon as it was announced, at the January 16, 2016 Trustee meeting, and with several subsequent follow-ups via email. As a former trustee, familiar with the individual members of the Board of Trustees, she had never had previous contact with charged board member Keith Shaffer, as his activities were mostly relegated to helping maintain the building and grounds of ASD headquarters. Charged board member Keith Shaffer telephoned her on January 27th, 29th and February 3, 2016 and a voice mail was left on February 2, 2016. She provided testimony on these calls in Exhibit 3, as she felt the calls were inappropriate and that the members of the Executive Committee directed him to call her and that they demonstrated the hostile intent of the Board. In the calls Mr. Shaffer speaks about how he "got" Sandee Mac and improprieties she committed, however these have never been provided to Ms. Mac as charges nor were they provided the 2016 Audit Committee. He also discussed getting Adhi Two Owls out and Steve Herbert.

The Complainants urge the Ethics Committee to speak directly with Ms. Two Owls on disciplinary action against her and the others charged.

Charge 8: Rebecca Gurland

Rebecca Gurland – Trustee

Ms. Gurland resigned detailing her disillusionment with the Board (Exhibit 12). Following her resignation Lee Ann Potter became a Board member and sent hostile communications to Ms. Gurland attacking her resignation (Exhibit 13). This was inappropriate for an ASD Board member to respond in such a manner to a member and former Board Member. Ms. Potter also shows hostility to other members that had membership removed by the Board, including Steve Herbert and those forming the Earth Water Alliance at the direction of Martin Lucas, and accuses Ms. Loomis of filing charges with the Vermont Attorney General which is also untrue[6]. Ms. Potter states that this is a breach of ethics, which also reflects

[6] There is an open case with the Vermont Attorney General, however, it was not filed by Ms. Loomis.

her motivations in supporting the removal of memberships and disciplinary actions against anyone associated with the Water For Humanity Fund.

In a subsequent letter of support for Steven Herbert dated 4/17/17 Ms. Gurland also documents her experience as a Board member citing the spiteful, emotionally charged negative feeling by the charged Board members against Steven Herbert and the Water for Humanity. She notes the closed Board meetings and nasty emails by the Executive Committee and their plan to redo the WFH. (Exhibit 14)

Charge 9: Jennifer Anderson

Jennifer Anderson, Trustee, Liaison to WFHF, 2016 Convention Coordinator

On August 4, 2016 Martin Lucas sent a form letter to Daniel Prater (who was noted as not an ASD member), Michelle Hicks, Steven Herbert, Jose Cueto (also noted as a non-member), Frankie Hutton, Jean McDonald, Jennifer Anderson, Amy Loomis (noted as an advisor), Dreama Brower (noted as an coordinator or advisor), Don Black (noted as a non-member, Susanne Dillon (noted as former Chair of Raffle) and Sandee Mac (also noted as a non-member) (Exhibit 4). The letter indicated ethics charges being brought based on their part of Water for Humanity Fund. It states that this notice will affect their ability to rejoin the ASD which is in violations of the Bylaws Chapter XV§(c)(5). The letter and attachment referring to the 2016 audit does not mention any specific charges against Ms. Anderson by name, therefore it cannot be determined nor can Ms. Anderson defend herself against unspecified actions.

As a member subject to discipline, the Board was required by the Bylaws (Chapter XV §2) to form an independent Ethics Committee and provide an opportunity for Ms. Anderson to provide evidence - no opportunity to do this was provided. Ms. Anderson stated that she was told by Martin Lucas that they had to charge all Trustees that were liaisons with the WFHF according to Vermont law. This is patently untrue.

Ms. Anderson has never received a decision letter from the Board as required by the Bylaws.

In this charge the charged Board members did not follow the Vermont law nor Bylaws. There was (1) no complaint filed by an ASD member with specific charges, (2) no specific charges against Ms. Anderson were identified (3) the Board did not establish an Ethics Committee with at least three impartial members, (4) the Board did not provide an opportunity for due process allowing the charged member to provide evidence and be heard by the Ethics Committee, (5) there was no 15 day prior notice of termination required by Vermont Law, (6) there was no communication of the vote and decision of the Board provided within 30 days based on the Ethics Committee's report. This is in violation of the Vermont Nonprofit Corporations Law and Bylaws resulting in potential legal liability and significant harm to the individual both emotionally and financially.

Charge 10: Dan Prater

Dan Prater, Chair, WFHF, President Michigan Dowsers

In 2016 Mr. Prater resigned from the ASD and his Chapter terminated their association with the ASD due to the Board's actions against Steven Herbert and the Water For Humanity Committee members and funds.

At least two 2016 audit members will testify that during the 2016 audit a large focus was on Mr. Prater's resignation and targeting him for bringing up issues and resigning in support of Steven Herbert and the Water for Humanity Fund committee.

On August 4, 2016 Martin Lucas sent a form letter to Daniel Prater (who was noted as not an ASD member), Michelle Hicks, Steven Herbert, Jose Cueto (also noted as a non-member), Frankie Hutton, Jean McDonald, Jennifer Anderson, Amy Loomis (noted as an advisor), Dreama Brower (noted as an coordinator or advisor), Don Black (noted as a non-member, Susanne Dillon (noted as former Chair of Raffle) and Sandee Mac (also noted as a non-member) (Exhibit 4). The letter indicated ethics charges being brought based on their part of Water for Humanity Fund. It states that this notice will affect their ability to rejoin the ASD which is in violations of the Bylaws Chapter XV§(c)(5). The letter and attachment referring to the 2016 audit does not mention any specific charges against Mr. Prater by name, therefore it cannot be determined nor can Mr. Prater defend himself against unspecified actions. As noted, Mr. Prater was not a member at the time and the Board did not have the jurisdiction to file charges against an individual not a member of the ASD.

Mr. Prater did not receive a decision letter from the Board as required by the Bylaws.

In this charge the charged Board members did not follow the Vermont law nor Bylaws. There was (1) no complaint filed by an ASD member with specific charges, (2) no specific charges against Mr. Prater were identified, (3) the Board did not allow for due process, (4) the Board acted beyond its jurisdiction, (5) M. Prater was specifically targeted in the 2016 audit for his and his chapter's resignation, and (6) there was no communication of the vote and decision of the Board provided within 30 days. This is in violation of the Vermont Nonprofit Corporations Law and Bylaws resulting in potential legal liability and significant harm to the individual both emotionally and financially.

Charge 11: Steven Herbert

Steven Herbert, Secretary WFHF

Mr. Herbert appears to have been particularly targeted by the Board. Also see the Audit charges listed in following sections as the focus of the 2016 annual financial audit was focused on Water for Humanity Fund members, advisors and in particular Mr. Herbert.

In a letter to the membership dated January 30, 2016 (Exhibit 15) six Board members (including those charged) sent a letter regarding Mr. Herbert's removal. A similar undated letter on or about February 1, 2016 came from President Martin Lucas stating that Steve Herbert was removed by the Executive Committee and it states of a two year investigation (Exhibit 16). Mr. Herbert at this time still had not received charges or were required disciplinary procedures followed as required by the State Law and Bylaws. Mr. Lucas states that details cannot be release to protect donor privacy (see charges where donor specific information was released at the 2016 Annual Meeting and in the public audit report by Lee Ann Potter) or violate ethics of the organization. The letter also states that the Executive Committee took the disciplinary action although Vermont State Nonprofits Corporation Statute Bylaws require that issues be first brought to the chapter level, then regional vice president, and only if not resolved than by the entire Board, not just the Executive Committee. It does not explain why the required disciplinary process required by the Bylaws was not being followed.

This disciplinary action was taken without a filed complaint to Mr. Herbert and he was not notified until much later, nor does it appear that there was an Ethics Committee set up or even that the entire Board made the determination for this disciplinary action. The required State and Bylaw disciplinary legal requirements were not filed.

Ms. Marilyn Gang, long time ASD member and former Trustee, protested the malicious firing of Steve Herbert as soon as it was announced, at the January 16, 2016 Trustee meeting, and with several subsequent follow-ups via email. As a former trustee, familiar with the individual members of the Board of Trustees, she had never had previous contact with charged board member Keith Shaffer, as his activities were mostly relegated to helping maintain the building and grounds of ASD headquarters. Charged board member Keith Shaffer telephoned her on January 27th, 29th and February 3, 2016 and a voice mail was left on February 2, 2016. She provided testimony on these calls in Exhibit 2, as she felt the calls were inappropriate and that the members of the Executive Committee directed him to call her and that they demonstrated the hostile intent of the Board. In the calls Mr. Shaffer speaks about how he "got" Sandee Mac and improprieties she committed, however these have never been provided to Ms. Mac as charges nor were they provided the 2016 Audit Committee. He also discussed getting Adhi Two Owls out and Steve Herbert. Ms. Gang emphasized to Mr. Shaffer that Mr. Herbert had done nothing wrong and Mr. Shaffer said they had proof. When Ms. Gang asked what the proof was and when the membership would see it, Mr. Shaffer indicated when the time was right. Ms. Gang has never seen or been provided any proof.

On August 4, 2016 Martin Lucas sent a form letter to Daniel Prater (who was noted as not an ASD member), Michelle Hicks, Steven Herbert, Jose Cueto (also noted as a non-member), Frankie Hutton, Jean McDonald, Jennifer Anderson, Amy Loomis (noted as an advisor), Dreama Brower (noted as an coordinator or advisor), Don Black (noted as a non-member, Susanne Dillon (noted as former Chair of Raffle) and Sandee Mac (also noted as a non-member). The letter indicated ethics charges being brought based on their part of Water for Humanity Fund. It states that this notice will affect their ability to rejoin the ASD which is in violations of the Bylaws Chapter XV§(c)(5). Charges were listed in five general areas based on the 2016 audit. Mr. Herbert was charged with conflict of interest, failure to provide records, misconduct relating to tax deduction receipts, misconduct related to his

temporary employment with ASD, and not working with the Trustees and the attachment referred to the 2016 audit. Charges were general with little evidence provided and many were challenged at the 2016 membership meeting.

During a recorded call prior to the 2016 annual convention[7] Mr. Lucas stated that he intended to bring up at the annual meeting that Mr. Herbert's life membership would not be removed (and he intended to put up for vote to give Mr. Shaffer the Treasurer a life membership). Mr. Herbert also requested copies of the Board meeting where it was alleged the Board voted to award him the life membership, but no minutes or evidence were provided. (See later charges regarding unavailability of Board minutes to the membership).

Others in ASD have been given life memberships by the Board without membership vote and these have been allowed to remain in place (e.g. Bill Connell, daughter of Sybil Carey, etc.). The Board has also held an annual raffle for life membership at annual meetings which would appear to violate by-law requirements. Only Mr. Herbert's life membership has been attacked as defective. Members testify that Mr. Herbert's life membership was announced at an annual meeting and there were no objections or issues raised by the membership, in fact Mr. Herbert received a standing ovation for his efforts. We have at least six members currently willing to speak directly to the Ethics Committee and attest to this fact. At the 2016 annual meeting he was also recognized by the membership with an award and certificate of appreciation for his years of efforts on behalf of the Water for Humanity and ASD.

The charges also appear also state that M. Herbert was an ASD employee and that he had brought up harassment charges against the Office Manager which is the reason for the discipline. In regards to the Annenberg grant, the grant required that Mr. Herbert be paid $2,400 to fulfill the conditions of the grant to write draft proposals and build the website for ASD. The grant was to ASD to create infrastructure for ASD and not the WFHF and Mr. Herbert's volunteer work with the WFHF was different (e.g. awarding funds for wells in India, water for Indian reservations, etc.). The Board had on two occasions used Mr. Herbert as an independent contractor for other grants. Annette Weis on behalf of the Board wanted Mr. Herbert to sign an employment contract. Mr. Herbert and the Board were unable to reach agreement on the terms of the employment contract and the Board offered Mr. Herbert a regular employment agreement for the five weeks for which Mr. Herbert was paid on April 29, 2015. We are unable to identify any violations of Statutes or a basis for disciplinary action based on this. Charged members of the Board offered Mr. Herbert employment, therefore it is unfathomable how the Board can later bring charges and remove Mr. Hebert's life membership for this. As noted in the facts above, it was stated by the Board that charges are based on 2016 actions and the Annenberg grant was also prior to 2016, though this appears to be in the charges brought against Mr. Hebert. While the complaint is not at this time addressing the validity of each charge (which is the jurisdiction of the Chapter, Regional Vice President and/or Ethics Committee) this is noted here as this reflects on Ms. Weis and charged members' actions and hostility with Mr. Herbert and the lack of impartiality and fairness documented here and in other charges.

[7] Board meeting minutes have been removed from the website and are not available to the membership, the

Mr. Herbert responded to the letter on August 23, 2016 denying the allegations and requesting information including Board Minutes and any evidence (Exhibit 17). He noted that the Bylaw disciplinary procedures be followed and invoked his right for the charges to be first taken up and decided by his Chapter as required by the Bylaws. No response or requested board minutes were provided as required by Vermont State Law.

Mr. Herbert received a letter dated January 13, 2017 (Exhibit 18) from Martin Lucas stating that since Mr. Herbert had not provided evidence, and that based on the 2016 audit, Mr. Herbert's life membership was terminated. At the time of this letter, Mr. Herbert still had not received requested documentation and had not had the opportunity to have the charges resolved at the Chapter or Regional Vice President level. The Board revoked Mr. Herbert's life membership without any claims, charges, or opportunities to respond – all in violation of State law and the ASB bylaws.

Mr. Herbert has still not received a complaint with specific charges details and information; making him unable to have due process or response. Mr. Herbert went to the Danville Chapter to request assistance in resolving the ethics charges by the Board as required by the Bylaws. He was supported by the Chapter and Mr. John Serino, the Chapter Chair and in response the Board sent an ethics charge letter against Mr. Serino and terminated his ASD membership. See details against Mr. Serino in the following sections. Mr. Herbert was not allowed to go to the Regional Vice President or before an Ethics Committee in violation of State Law and Bylaws. Based on the Chapter resolving the complaints, the Board is required to reinstate Mr. Herbert's membership and retract the charges.

In this charge the charged Board members did not follow the Vermont law nor Bylaws. There was (1) no complaint filed by an ASD member with specific charges, (2) disciplinary action removing Mr. Herbert from the WFHF committee was done without any due process (3) the charges were required to be initially handled by the Chapter with an attempt to resolve them and no opportunity was given to do this. When Mr. Herbert asked the Chapter to help resolve the termination and charges the charged members of the Board removed the Danville Chapter President's membership. The Board has not reinstated Mr. Herbert's life membership as required, (4) the charges secondly were required to be handled by the Regional Vice President in an attempt to resolve them if the Chapter could not and this was not done, (5) the Executive Committee took disciplinary action without vote by the entire Board as required, (6) the Board did not provide an opportunity for due process allowing the charged member to provide evidence and be heard and did not respond to requests for information required by Law to be provided to members, (7) there was no 15 day prior notice of termination required by Vermont Law, (8) there was no communication of the vote and decision within 30 days, and (9) at least two 2016 audit members will testify that during the 2016 audit a large focused on Mr. Herbert and "getting him" and a long standing effort by charged board members against Mr. Herbert. This is in violation of the Vermont Nonprofit Corporations Law and Bylaws resulting in potential legal liability and significant harm to the individual both emotionally and financially.

Charge 12: Michelle Hicks

Michelle Hicks, Treasurer, WFHF

On August 4, 2016 Martin Lucas sent a form letter to Daniel Prater (who was noted as not an ASD member), Michelle Hicks, Steven Herbert, Jose Cueto (also noted as a non-member), Frankie Hutton, Jean McDonald, Jennifer Anderson, Amy Loomis (noted as an advisor), Dreama Brower (noted as an coordinator or advisor), Don Black (noted as a non-member, Susanne Dillon (noted as former Chair of Raffle) and Sandee Mac (also noted as a non-member) (Exhibit 4). The letter indicated ethics charges being brought based on their part of Water for Humanity Fund. It states that this notice will affect their ability to rejoin the ASD which is in violations of the Bylaws Chapter XV§(c)(5). The letter and attachment referring to the 2016 audit does not mention any specific charges against Ms. Hicks by name, therefore it cannot be determined nor can Ms. Hicks defend herself against unspecified actions.

As a member subject to discipline, the Board was required by the Bylaws (Chapter XV §2) to have the charges be resolved by the Chapter and then by the Regional Vice President first and provide an opportunity for Ms. Hicks to provide evidence - no opportunity to do this was provided.

We were unable to determine whether the Board sent Ms. Hicks a decision letter or whether her membership was revoked in a form letter sent to others. We request a copy of this documentation from the charged Board members.

In this charge the charged Board members did not follow the Vermont law nor Bylaws. There was (1) no complaint filed by an ASD member with specific charges, (2) no specific charges against Ms. Hicks were identified (3) the Board did not allow for Ms. Hicks to resolve her charges at the Chapter or Regional Vice President level, (4) the Board did not provide an opportunity for due process allowing the charged member to provide evidence and be heard by the Ethics Committee, (5) there was no 15 day prior notice of termination required by Vermont Law, (6) there was no communication of the vote and decision of the Board provided within 30 days based on the Ethics Committee's report. This is in violation of the Vermont Nonprofit Corporations Law and Bylaws resulting in potential legal liability and significant harm to the individual both emotionally and financially.

Charge 13: Jose Cueto

Jose Cueto, WFHF Voting Member

On August 4, 2016 Martin Lucas sent a form letter to Daniel Prater (who was noted as not an ASD member), Michelle Hicks, Steven Herbert, Jose Cueto (also noted as a non-member), Frankie Hutton, Jean McDonald, Jennifer Anderson, Amy Loomis (noted as an advisor), Dreama Brower (noted as an coordinator or advisor), Don Black (noted as a non-member, Susanne Dillon (noted as former Chair of Raffle) and Sandee Mac (also noted as a non-member) (Exhibit 4). The letter indicated ethics charges being brought based on their part of Water for Humanity Fund. It states that this notice will affect their ability to rejoin the ASD which is in violations of the Bylaws Chapter XV§(c)(5). The letter and attachment referring to the 2016 audit does not mention any specific charges against Mr. Cueto by name, therefore it cannot be determined nor can Mr. Cueto defend himself against unspecified actions. The Board also lacks the authority to bring charges against non-members.

As a member subject to discipline, the Board was required by the Bylaws (Chapter XV §2) to have the charges be resolved by the Chapter and then by the Regional Vice President first and provide an opportunity for Mr. Cueto to provide evidence - no opportunity to do this was provided.

We are unaware of a decision letter being sent to Mr. Cueto as required. .

In this charge the charged Board members did not follow the Vermont law nor Bylaws. There was (1) no complaint filed by an ASD member with specific charges, (2) no specific charges against Mr. Cueto were identified (3) the Board did not allow for Mr. Cueto to resolve his charges at the Chapter or Regional Vice President level, (4) there was no 15 day prior notice of termination required by Vermont Law, (5) there was no communication of the vote and decision of the Board provided within 30 days based on the Ethics Committee's report, and (6) as Mr. Cueto was not a member of the organization at the time and therefore the charges were beyond the Board's jurisdiction. This is in violation of the Vermont Nonprofit Corporations Law and Bylaws resulting in potential legal liability and significant harm to the individual both emotionally and financially.

Charge 14: Frankie Hutton

Frankie Hutton, WFHF Voting Member

On August 4, 2016 Martin Lucas sent a form letter to Daniel Prater (who was noted as not an ASD member), Michelle Hicks, Steven Herbert, Jose Cueto (also noted as a non-member), Frankie Hutton, Jean McDonald, Jennifer Anderson, Amy Loomis (noted as an advisor), Dreama Brower (noted as an coordinator or advisor), Don Black (noted as a non-member, Susanne Dillon (noted as former Chair of Raffle) and Sandee Mac (also noted as a non-member) (Exhibit 4). The letter indicated ethics charges being brought based on their part of Water for Humanity Fund. It states that this notice will affect their ability to rejoin the ASD which is in violations of the Bylaws Chapter XV§(c)(5). The letter and attachment referring to the 2016 audit does not mention any specific charges against Ms. Hutton by name, therefore it cannot be determined nor can Ms. Hutton defend herself against unspecified actions. The Board lacks the authority to bring charges against non-members.

As a member subject to discipline, the Board was required by the Bylaws (Chapter XV §2) to have the charges be resolved by the Chapter and then by the Regional Vice President first and provide an opportunity for Ms. Hutton to provide evidence - no opportunity to do this was provided.

We were unable to determine whether the Board provided Ms. Hutton a decision letter or what action was taken against her as required by the Bylaw and Vermont Nonprofit Corporations requirements.

In this charge the charged Board members did not follow the Vermont law nor Bylaws. There was (1) no complaint filed by an ASD member with specific charges, (2) no specific charges against Ms. Hutton were identified, (3) the Board did not allow for Ms. Hutton to resolve her charges at the Chapter or Regional Vice President level, (4) the Board did not

provide an opportunity for due process allowing the charged member to provide evidence and be heard by the Ethics Committee if the complaint could not be resolved at the chapter or by the Regional Vice President, and (5) there was no communication of the vote and decision of the Board provided within 30 days. This is in violation of the Vermont Nonprofit Corporations Law and Bylaws resulting in potential legal liability and significant harm to the individual both emotionally and financially.

Charge 15: Susanne Dillon

Susanne Dillon, WFHF Fundraiser and Raffle Coordinator

On August 4, 2016 Martin Lucas sent a form letter to Daniel Prater (who was noted as not an ASD member), Michelle Hicks, Steven Herbert, Jose Cueto (also noted as a non-member), Frankie Hutton, Jean McDonald, Jennifer Anderson, Amy Loomis (noted as an advisor), Dreama Brower (noted as an coordinator or advisor), Don Black (noted as a non-member, Susanne Dillon (noted as former Chair of Raffle) and Sandee Mac (also noted as a non-member) (Exhibit 4). The letter indicated ethics charges being brought based on their part of Water for Humanity Fund. It states that this notice will affect their ability to rejoin the ASD which is in violations of the Bylaws Chapter XV§(c)(5). The letter and attachment referring to the 2016 audit does not mention any specific charges against Ms. Dillon by name, therefore it cannot be determined nor can Ms. Dillon defend herself against unspecified actions.

As a member subject to discipline, the Board was required by the Bylaws (Chapter XV §2) to have the charges be resolved by the Chapter and then by the Regional Vice President first and provide an opportunity for Ms. Dillon to provide evidence - no opportunity to do this was provided.

Although Ms. Dillon received ethics charges from the Board, she did not receive a membership termination letter. Therefore she contacted Martin Lucas, ASD President requesting documentation whether she was cleared of charges. Mr. Lucas responded by letter on February 28, 2017 (Exhibit 20) stating that he would see that the procedures would be updated to ensure that the accused that were found not guilty received notice. He noted that this type of issue has never been addressed by the society before (presumably before these board members began terminating memberships and taking disciplinary actions as detailed in this complaint). The Bylaws do require 30 day notification of the Board's decision to all parties within 30 days of a 2/3 vote by the Board after reviewing the Ethics Committee report. To date, Ms. Dillon has not received any notification on the results of the ethics charges.

In this charge the charged Board members did not follow the Vermont law nor Bylaws. There was (1) no complaint filed by an ASD member with specific charges, (2) the charges were required to be initially handled by the Chapter with an attempt to resolve them and no opportunity was given to do this, (3) the charges secondly were required to be handled by the Regional Vice President in an attempt to resolve them if the Chapter could not and this was not done, (4) the Board did not provide an opportunity for due process allowing the charged member to provide evidence and be heard, (5) there was no communication of the vote and decision within 30 days despite repeated requests by Ms. Dillon. This is in

violation of the Vermont Nonprofit Corporations Law and Bylaws resulting in potential legal liability and significant harm to the individual both emotionally and financially.

Other Volunteers to ASD

Charge 16: Don Black

Don Black – Chair Vision Committee, Chair Membership Committee, Northwest Regional Vice President (RVP), Consultation to WFHF

Mr. Black an attorney and longtime ASD member identified Board issues in ratification or failure to ratify ongoing processes that did not meet fiduciary standards of ethical corporate conduct which were pointed out after trying to work with the Office Manager to fix said processes. Mr. Black was a Regional Vice Present and worked on a Vision Project and consultant to WFHF. Mr. Black resigned as a Regional Vice President after continued conflicts with the Board. Mr. Black did not renew his membership and charges were brought against him when he was not a member.

On August 4, 2016 Martin Lucas sent a form letter to Daniel Prater (who was noted as not an ASD member), Michelle Hicks, Steven Herbert, Jose Cueto (also noted as a non-member), Frankie Hutton, Jean McDonald, Jennifer Anderson, Amy Loomis (noted as an advisor), Dreama Brower (noted as an coordinator or advisor), Don Black (noted as a non-member, Susanne Dillon (noted as former Chair of Raffle) and Sandee Mac (also noted as a non-member) (Exhibit 4). The letter indicated ethics charges being brought based on their part of Water for Humanity Fund. It states that this notice will affect their ability to rejoin the ASD which is in violations of the Bylaws Chapter XV§(c)(5). The letter and attachment referring to the 2016 audit does not mention any specific charges against Mr. Black by name, therefore it cannot be determined nor can Mr. Black defend himself against unspecified actions. The Board lacks the authority to bring charges against non-members.

As a member subject to discipline, the Board was required by the Bylaws (Chapter XV §2) to have the charges be resolved by the Chapter and then by the Regional Vice President first and provide an opportunity for Mr. Black to provide evidence - no opportunity to do this was provided.

There was (1) no complaint filed by an ASD member with specific charges, (2) no specific charges against Mr. Black were identified, (3) the Board did not allow for Mr. Black to resolve his charges at the Chapter or Regional Vice President level, (4) the Board did not provide an opportunity for due process allowing the charged member to provide evidence and be heard by the Ethics Committee, (5) there was no 15 day prior notice of termination required by Vermont Law, (6) there was no communication of the vote and decision of the Board provided within 30 days based on the Ethics Committee's report, and (7) as Mr. Black was not a member of the organization at the time and therefore the charges were beyond the Board's jurisdiction. This is in violation of the Vermont Nonprofit Corporations Law and Bylaws resulting in potential legal liability and significant harm to the individual both emotionally and financially.

Charge 17: Amy Loomis

Amy Loomis – President, Idaho Society of Dowsers, ASD Science Committee, ASD Vision Committee, ASD Finance Committee, Grantwriting Advisor to ASD (2013- 2016), WFHF Grantmaking Advisor (2014-2016).

On January 4, 2016 Ms. Loomis resigned as WFHF grants manger effective 1/17/16 due to ASD's mismanagement. She provides specific concerns with the ASD PPM manual updates needed and the malicious and underhanded approach by the Board against Steve and the WFHF (Exhibit 20).

On August 4, 2016 Martin Lucas sent a form letter to Daniel Prater (who was noted as not an ASD member), Michelle Hicks, Steven Herbert, Jose Cueto (also noted as a non-member), Frankie Hutton, Jean McDonald, Jennifer Anderson, Amy Loomis (noted as an advisor), Dreama Brower (noted as an coordinator or advisor), Don Black (noted as a non-member, Susanne Dillon (noted as former Chair of Raffle) and Sandee Mac (also noted as a non-member) (Exhibit 4). The letter indicated ethics charges being brought based on their part of Water for Humanity Fund. It states that this notice will affect their ability to rejoin the ASD which is in violations of the Bylaws Chapter XV§(c)(5). The letter and attachment referring to the 2016 audit does not mention any specific charges against Ms. Loomis by name, therefore it cannot be determined nor can Ms. Loomis defend herself against unspecified actions.

Ms. Loomis twice wrote Mr. Lucas requesting information on the charges and there was no response. On August 25 2016 (Exhibit 21) Ms. Loomis wrote a letter denying all allegations that might be asserted and requested a copy of the Bylaws and Policy and Procedures Manual. She requested a copy of Board Meeting minutes for the periods for which the Board was alleging misconduct as the ethics violations had no information on any charges or misconduct. She also requested a copy of the insurance policy believing as a member she should be covered and represented by the carrier. She clearly stated that the Board was not following the Bylaw procedures and invoked her right for the charge to be first taken up and decided by her local chapter as the Bylaws require.

As there was no response from Mr. Lucas or the Board, Ms. Loomis and others receiving ethics charges wrote the insurance carrier directly to request representation. The insurance carrier, (Matthew Rubin, assistant Vice President) responded in a letter dated September 30, 2016 Exhibit 22) that the accused were not covered under the policy and ASD's insurance policies did not provide such coverage.

Ms. Loomis again sent a letter to Mr. Lucas pointing out they had not followed the Bylaws and repeating her rights for her chapter to first decide her charges:

> *"I hereby place you on notice that I believe the American Society of Dowsers has not followed proper procedures in regards to the subject notification of ethics charges as specified in Article XV, Section 2 of the Bylaws. And, I <u>am invoking my rights for this charge to first be taken up and decided by my local chapter</u> in accordance with these Bylaws."*

In a letter dated January 11, 2017 (Exhibit 23) from Mr. Martin Lucas to Ms. Loomis, Mr. Lucas stated that the Board met and decided to terminate Ms. Loomis's life membership. He indicated that Ms. Loomis did not provide evidence, therefore it was based on the charges and evidence in the audit.

There was (1) no complaint filed by an ASD member with specific charges, (2) no specific charges against Ms. Loomis were identified, (3) the Board did not allow for Ms. Loomis to resolve her charges at the Chapter or Regional Vice President level, (4) the Board did not provide an opportunity for due process allowing the charged member to provide evidence and be heard by the Ethics Committee if the matter could not be resolved by the Chapter or Regional Vice President, (5) there was no 15 day prior notice of termination required by Vermont Law, (6) there was no communication of the vote and decision of the Board provided within 30 days based on the Ethics Committee's report, and (7) no responses to repeated requests for documentation including board minutes. This is in violation of the Vermont Nonprofit Corporations Law and Bylaws resulting in potential legal liability and significant harm to the individual both emotionally and financially.

Charge 18: Dreama Brower

Dreama Brower – ASD Finance Committee, ASD Trust Fund, WFHF Facebook Advisor.

Ms. Brower resigned from the aforementioned committees on May 24, 2016 (Exhibit 24) stating:

> "I believe actions of certain members of the Board of Trustees are detrimental to ASD and have created an atmosphere of paranoia, distrust, secrecy, and fear of retribution."

She also objects to the handling of the WFHF by the Board and issues with the lack of communication when she was on the Trust Fund and Finance Committees which were tasked with oversight. Further details on the Trust Fund are contained in other charges below.

On August 4, 2016 Martin Lucas sent a form letter to Daniel Prater (who was noted as not an ASD member), Michelle Hicks, Steven Herbert, Jose Cueto (also noted as a non-member), Frankie Hutton, Jean McDonald, Jennifer Anderson, Amy Loomis (noted as an advisor), Dreama Brower (noted as an coordinator or advisor), Don Black (noted as a non-member, Susanne Dillon (noted as former Chair of Raffle) and Sandee Mac (also noted as a non-member) (Exhibit 4). The letter indicated ethics charges being brought based on their part of Water for Humanity Fund. It states that this notice will affect their ability to rejoin the ASD which is in violations of the Bylaws Chapter XV§(c)(5). The letter and attachment referring to the 2016 audit does not mention any specific charges against Ms. Brower by name, therefore it cannot be determined nor can Ms. Brower defend herself against unspecified actions.

Ms. Brower responded on August 24, 2016 (Exhibit 25) denying the charges and requesting documents that could be used to prepare a defense including board minutes, the current bylaws and procedure manual. In addition, she requested any and all evidence regarding the charges. Finally, she advised the Board they had not followed required Bylaw procedures and invoked her right to have the charges decided by her Chapter President.

No response for Ms. Brower's request for documentation, request for the charges to be handled at the chapter level, or an opportunity to be heard were provided.

Ms. Brower received a letter dated January 13, 2017 (Exhibit 26) terminating her life membership and stating a failure to respond even though no specific charges were provided and Ms. Brower had requested evidence to support the charges from the Board.

On April 10, 2017 (Exhibit 27), Ms. Brower advised Martin Lucas that she could not accept their letter of resignation since she had responded within the appropriate timeframe and had no opportunity to provide a defense nor was she even provided requested documentation or the opportunity to have her chapter resolve the charges. She also advised that Mr. Lucas that she had not renewed her membership upon expiration and, therefore, her membership could not be terminated. She stated that the January 13, 2017 notice was invalid due to the ambiguity of charges, lack of procedural integrity, and improper conduct by the Board. She received no response from ASD.

In this charge the charged Board members did not follow the Vermont law nor Bylaws. There was (1) no complaint filed by an ASD member with specific charges, (2) the charge for resignation is not misconduct under the law or Bylaws, (3) the charges were required to be initially handled by the Chapter with an attempt to resolve them and no opportunity was given to do this, (4) the charges secondly were required to be handled by the Regional Vice President in an attempt to resolve them if the Chapter could not and this was not done, (5) the Board did not provide an opportunity for due process allowing the charged member to provide evidence and be heard, (6) the Board refused to provide documentation including board minutes as required by Vermont law, (7) there was no 15 day prior notice of termination required by Vermont Law, (8) there was no communication of the vote and decision within 30 days. This is in violation of the Vermont Nonprofit Corporations Law and Bylaws resulting in potential legal liability and significant harm to the individual both emotionally and financially.

Charge 19: John Serino

John Serino, President, Danville Dowsers Chapter

On March 9, 2017 Danville Chapter President John Serino notified ASD President, Martin Lucas, that they were hearing Steven Herbert's charges as Mr. Herbert was a member of the Danville Chapter as required by the Bylaws (Exhibit 28). In the letter he pointed out violations of the Bylaws and requested that the disciplinary process be restarted and done in accordance with the Bylaws. He pointed out actions by one of the audit team members for the 2016 annual audit (on which Mr. Herbert's charges are based) that he believed showed the member was unsuitable to be on the audit team (no names were mentioned as to whom he was referring to).

On March 22, 2017, President Martin Lucas sent a letter accusing Mr. Serino of bigotry and religious intolerance against Lee Ann Potter (chair of the audit team) and demanded a public apology. Mr. Lucas also states that charges go back to February 2016 and were based on harassment charges of an ASD employee. Mr. Lucas stated that Mr. Herbert did not respond to the charges, which is untrue as Mr. Herbert requested documentation from the Board and it was never provided. Mr. Lucas states that there were ethics charges however, but denies that these should be handled by the Chapter, although the Bylaws required this. Mr. Lucas also cites

Robert's Rules of Order as superseding the Bylaws which is legally false, the Rules of Order are guidance for managing meetings and such. He states that the Board decided not to turn over documents to State or federal authorities as it might trigger audits, though typically a nonprofit organization would welcome review of its records and would be transparent and would cooperate with enforcement and regulatory agencies. Finally Mr. Lucas stated that Life Memberships could be given by serving as President or by being purchased which is not permitted by the Bylaws (see Chapter III §3(d)). Mr. Martin Lucas ends by requesting Mr. Serino's resignation which is also improper.

The Board next responded by filing ethics charges against Mr. Serino in a letter dated March 24, 2017 from Annette Weis (Exhibit 30). Although the letter states that the charges are brought by Lee Ann Potter, one of the charged Board members, there is no signed complaint by Ms. Potter as required by the Bylaws. Ms. Weis indicated that a response must be sent to the board rather than providing Mr. Serino the opportunity for his charges to be resolved by his Chapter or Regional Vice President as required by the Bylaws. The attachment cites slander although Mr. Serino did not even name an individual in his 3/9/17 letter to the Board nor is an opinion regarding a person's character or suitability for a position slander under any laws. The charges also cite religious and civil rights violations although Mr. Serino made no mention of any audit team member's religion nor did he make discriminatory statements based on any legally protected status. He was further accused of doing this during an election and discrediting Ms. Potter, though again he made no mention of Ms. Potter in his original letter and his letter was to the Board, therefore it is unclear how this would influence an election outcome.

On April 18, 2017 (Exhibit 31) Mr. Serino and the Danville Chapter leadership and members gathered to review the ethics charges and permit Mr. Herbert to respond as required by The Bylaws. Based on that hearing the Chapter determined that he was found innocent of each count and requested that the Board restore Mr. Herbert's life membership.

Ms. Annette Weis, a member of the Board on April 23, 2017 sent a very negative letter to Mr. Serino attacking Mr. Serino and Mr. Herbert (Exhibit 32)[8]. In the letter she chastises Mr. Serino and the chapter for hearing Mr. Herbert's charges. She also disparages a group of members who brought up audit concerns at the 2016 annual meeting. She says that Mr. Herbert did not respond to the charges then mentions the letter he sent asking for information. Ms. Weis refers to charges against herself and the office manager as ridiculous and the attorneys are laughing, which also shows how the board has handled complaints and not taken them seriously. Ms. Weiss then indicates that the 2016 audit led by Lee Ann Potter was only t0 prepare for an external CPA audit although this was never stated as the purpose of the audit nor were team members informed of this being anything other than an audit of WFHF. Ms. Weiss also refers to Lee Ann Potter's emails that were never mentioned by Mr. Serino and attacks a former ASD president and speaker at Mr. Serino's chapter. She also refers to a crystal gate fiasco as a reason for Mr. Herbert being removed as secretary of the WFHF in 2015 although a noted In Mr. Herbert's charges, there was no disciplinary process followed for this removal. She also states that no one else has voiced concern despite the substantial letters of support and other evidence submitted. This letter is entirely inappropriate as Ms. Weis is a board member entrusted to ensure that the Bylaws and State laws are followed in regard to ethics charges and

[8] Although Ms. Weis marked confidential on the letter there is no legal privilege for this, therefore we provide this as additional evidence

procedure. Personal attacks and negative letters for a member who is in the disciplinary process and voting for termination of memberships under State and Bylaw ethics requirements is very troubling and demonstrates the inability for a fair and impartial hearing as required and the hostility and bias towards Mr. Herbert and those with any association with the WFHF.

On April 26, 2017 (Exhibit 34) Mr. Serino notified the Board that the ethics charges against him would be brought to the Danville Chapter Vice President and membership on May 27, 2017 as the Bylaws require. He invited Lee Ann Potter (who in the Board's letter appeared to be the one filing charges, although no signed written complaint has been located from Ms. Potter bringing charges). Mr. Serino again requested that if the charges could not be resolved by both parties that they move to an unbiased ethics committee where Mr. Serino could address accusations. He reiterated that his 3/9/17 letter had no intent and in no way could be construed as religious bigotry. He did offer to provide additional documentation related to ability to lead an honest and unbiased audit.

On May 12, 2017 Marin Lucas responded that an ethics committee had met on May 2 and 11, 2017 and were giving Mr. Serino three days to respond. Mr. Serino was not informed of the meetings or was he provided an opportunity to be heard. Mr. Lucas demanded that to know whether the March 9, 2017 letter to the Board had been disseminated and to whom and wanted evidence to show that the 2016 audit was false or improper. No response to Mr. Serino's request for due process and a hearing were responded to.

Mr. Serino responded on May 18, 2017 (Exhibit 36) stating again that Ms. Potter's emails had been widely distributed in the ASD and were not addressed to Mr. Serino or sent to him and that the communications were an example of the nature and intent exhibited by Ms. Potter during the audit, there was no mention of religion. Mr. Serino offered to provide additional evidence regarding audit concerns including resignation letters and person letters that arose in response to the audit. He again requested that Mr. Herbert be reinstated as requested by the Chapter's resolution of the charges as required by the Bylaws.

In response on May 24, 2017 Mr. Serino received a letter from Martin Lucas stating that there was an Ethics Committee meeting on May 16, 2017. Mr. Serino was not invited to the meeting to present testimony or provide information. It is not clear if Lee Ann Potter was present or voted as part of the Board. Mr. Lucas states it was based on a March 24th letter by Ms. Potter. As noted previously, there were no written signed charges by Ms. Potter provided. Mr. Lucas terminated Mr. Serino's membership and removed him as a member of the Danville Chapter, and prohibited him from holding a Chapter Office. As noted in the other charges the Danville Chapter is a separate 501(c)(3), therefore it is beyond the scope of the ASD to remove him as a member from the Chapter or prohibit him from holding an office.

Throughout Mr. Serino's attempts to legally address Mr. Herbert's charges as required by Vermont Law and the Bylaws and then in his own charges, the disciplinary process required by Vermont State Law and Bylaws were not followed. The charges were not initially permitted to be handled by the Chapter. Mr. Serino has gone to his Chapter for assistance in resolving the charges as required by the Bylaws and at the May 2017 chapter meeting had by unanimous votes for support (there were also two blank votes in the ballot box). Based on this resolution Mr. Herbert's charges should have been rescinded and his life membership reinstated. There are no basis for removing Mr. Serino's membership. Spurious charges of religious discrimination

were cited by the Board with no legal basis for such claims. It appears the charges and discipline were in response to Mr. Serino's handling of Mr. Herbert's charges at the chapter level as required by the Bylaws.

In this charge the charged Board members did not follow the Vermont law or Bylaws requirements. There was (1) no complaint filed by an ASD member with specific charges and charges of religious discrimination and slander were legally invalid, (2) the charges were required to be initially handled by the Chapter with an attempt to resolve them and no opportunity was given to do this, (3) the charges secondly were required to be handled by the Regional Vice President in an attempt to resolve them if the Chapter could not and this was not done, (4) The Board did not establish an Ethics Committee with at least three impartial members, (5) the Board did not provide an opportunity for due process allowing the charged member to provide evidence and be heard, (6) there was no 15 day prior notice of termination required by Vermont Law, (7) Board members removed Mr. Serino as Danville Chapter president and prohibited him from holding a leadership position in the chapter which is outside their authority as it is a separate 501(c)(3) chapter not under the ASD, (8) the charged Board members removed Mr. Serino's membership when his chapter and he came forward to help resolve a chapter member's (Steven Herbert) ethics charges, (11) charged board member Annette Weis sent a hostile letter directly to Mr. Serino which was inappropriate and also showed that the Board was not impartial in its disciplinary actions against Mr. Serino as she was on the Ethics Committee which is required to be fair and impartial[9], and (12) the Board refused to accept the Chapter's resolution of Mr. Herbert's charges as required by the Bylaws. This is in violation of the Vermont Nonprofit Corporations Law and Bylaws resulting in potential legal liability and significant harm to the individual both emotionally and financially.

Others with Potential Evidence: The Complainants also request that the Board speak with other Board Trustees who resigned from the Board who have other documentation and experiences that we believe will provide additional documentation of violations of laws and regulations and Bylaws and additional relevant evidence for the Ethics Committee required investigation on the charges brought in this document.

II. Termination of ASD Registration with the Vermont Department of State and Filing False Documents

Charge 20: Poor governance practices that resulted in termination of the ASD registration with the Vermont Department of State.

In 2016 the Vermont Department of State terminated ASD's registration to operate as a non-profit in the State of Vermont (dated 4/2/16) (Exhibit 38). At no time was the membership informed of the ASD's termination to operate as a non-profit organization or the reasons for the termination. It also is a violation of the Vermont State Nonprofit Corporations laws to operate without registration. Note: ASD's registration was later reinstated. The Board president and officers failed to file this legally required document resulting in termination of the ASD's registration and putting in jeopardy the organization's right to operate.

Charge 21: Vermont Department of State required filings were not executed as required

Documents filed with the Vermont Department of State for the biennial report required by V.S.A. These must be executed by the presiding officer of the board of directors, its president or other officers. (11B V.S.A. §1.02 (e). The reinstatement document and former biennial reports were signed and submitted were submitted by a non-officer (i.e. the Office Manager) in violation of the Law. (Exhibit 39)

Charge 22: Documentation with false information is filed with the Vermont Department of State

11 V.S.A. §1.40(9) defines Directors as "Individuals, designated in the articles or bylaws or elected by the incorporators, and their successors and individual elected or appointed by any other name or title to act as members of the board. The term "trustees" may be used instead of "directors" and shall have the same meaning". Section §1.29 states that anyone signing a document that is false in any material respected is illegal and also subjects the person violating the provision to civil penalties.

The 2016 reinstatement (filing #0002164566) and biennial reports (e.g. 2014) improperly lists the ASD Office Manager, as a Director in the filing and as the authorizer signing the report in violation of the Vermont State Law. The Office Manager is not a Director/Trustee as listed and also as noted in the charge above, may not sign and submit this legal document. The charge members of the Board have failed to provide required oversight and have filed documents with falsified information in violation of the State Law. (Exhibit 39).

III. Intellectual Property Violations

Charge 23: Intellectual Property Violations

The Board has violated Marty Cain's copyright and intellectual property rights in violation of federal laws and regulation. The "First Edition of the ASD Beginning Dowsing Manual" created by the Board for courses and training, for which the ASD receives compensation, improperly used drawings and copyrighted material developed by Ms. Cain without permission or even attribution. In fact one of the charged Board Members, Sandra Isgro lists herself as an author. Ms. Cain's material was taken from manual she compiled as co-director of the Beginning Dowsing School as well as materials from her book "A Lady's Notes on Dowsing" which was created by and is sold by Ms. Cain.

Ms. Cain is going through her books and intellectual property and will be providing the Ethics Committee highlighted sections of her book(s) that were exactly copied as well as the drawings and art work she created that was used in violation of intellectual property right laws and regulations and without permission. This is in violation of numerous federal intellectual property laws and has created substantial emotional and financial harm to Ms. Cain.

IV. Improper Use of Restricted Funds and Donations

Charge 24: Donations to the Water for Humanity Fund were used improperly for ASD Legal and other costs.

The Vermont Stature 14A[10] , §3416, §§110(d), 405, 413 and 813 requires that a specific gift given for a specific purpose must be use for that purpose. This includes funds solicited for a specific purpose, or as represented in solicitation materials such as funds donated for a particular program. These are legally regulated as restricted gifts. A nonprofit is required to ensure that its development and accounting systems track restricted gifts and can demonstrate that the terms of a gift were honored when the funds were expended. If carrying out the donor's intent is not practicable or possible, the organization must take the appropriate steps, including contacting the donor and, when required, the Attorney General of the State of Vermont. The Attorney General has the authority to ensure that funds donated for a charitable purpose are used for such a purpose.[11]

The Internal Revenue Service prohibits the use of donations for a specific 501(c)(3) fund (e.g. Water for Humanity) being used for the general purposes of the organization creating it. See IRS Publication 557, Chapter 3.

Under the ASD Bylaws, Chapter VIII Board of Trustees and Executive Officers, Section 2(e) requires that the Treasurer ensures that Society funds be maintained separate from all other funds.

The charged Board members have consistently not accounted for donations given to the Water For Humanity Fund (WFHF) which is a restricted fund per State and federal laws. As noted in the audit charge sections there were repeated requests by the WFHF for accounting of donations which were handled by the ASD Office Manager and Treasurer. In many examples known donations were not put in WFHF until the WFHF treasurer asked about them and these are only for donors who mentioned their donations to WFHF committee members, it was unknown the extent of the accounting or potential misappropriation of funds as this was not investigated by the audit team as appropriate.

The ASD Board President Martin Lucas stated during the membership call before the 2016 Dowsing Convention and at the Convention during the Membership Meeting that Water For Humanity donations were being used for ASD Legal and other non-WFHF uses. This was questioned during the 2016 annual meeting and again the charged Board members indicated restricted funds were being used for legal fees of the board and other non-restricted fund uses. We can find no evidence that the Attorney General and donors were notified of these violations as required by State law.

We are aware of at least three donors, Janis Fallon and Lisa Pitkin, and Susanne Dillon who have requested that donations be accounted for or upon disbandment of the WFHF and freezing of

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[10] Also see litigation cases. E.g. *Wilbur v. University of Vermont,* 129 Vt. 33, 44 (1970); *President & fellows of Middlebury Coll. V. Cent. Power Corp. of Vt., 101 Vt. 325, 342 (1928)*

[11] Also see the publication by the Vermont Attorney General's Office *Understanding Your Responsibilities: Guidance for Board Members of Charitable Nonprofit Organizations In Vermont,* dated 2015.

funds be turned over. (Exhibits 40-42) who donated over $8,000 of her father's books to be sold by the Water for Humanity for its missions and donated $250 to his memorial fund, requested from the Board an accounting of their donations. In Janis' case it was almost $30,000. Mr. Lucas indicated the attorney would get back to Janis in early 2016, however, more than a year later there has been no response.
Ms. Pitkin requested that all assets related to the David Pitkin fun be turned over to Earthwater Alliance (the 301(c) started at Mr. Lucas' direction) or that all assets be returned. As of May 2017 the books continued to be listed for sale and the David Pitkin Fund listed on the ASD website apparently for the purpose of donations.

Ms. Susanne Dillon, also emailed the Board on May 23, 2016 to turn over her donation from December 2015 to Earth Water Alliance as the WFHF funds had been frozen by the Board and therefore could not be used as intended for the donor's purposes. She also provided this to the Vermont Attorney General's Office which as of this date has an open investigation of the ASD for that and other potential violations.

Even earlier the potential violations were brought up by a Board member who later had charges brought and was told that she could not resume her ASD membership for at least two years. Ms. Jean McDonald states that on May 26, 2016 in closed session the Board voted to use the WFH funds to pay for their legal fees and she voted against using restricted funds for administrative costs by the organization instead of the purpose the donations were made for. She also raised concerns that this would increase administrative costs that were kept at 5% which the 2016 audit ends up citing as a violation without noting that the costs were exceeded by non-WFHF uses and bookkeeping which improperly included ASD organizational expenses in the WFHF accounting. (See other sections for audit issues and charges). She also objected to the Board wanting to continue raffles for the WFHF when the fund was frozen by the Board and the Board had announced its disbanding of the WFHF. (Exhibit 9)

Based on the President Martin Lucas' own admissions we believe Water for Humanity Funds have been used in violation of State laws and that required statutory notifications to the Vermont Attorney General and to donors were not made. Accounting issues were identified during the 2016 audit substantiating lack of proper accounting by the Treasurer of the restricted fund. As noted in other charges below and since budget information has not been presented to the membership we are unable to confirm the extent of other financial improprieties that may exit in accounting for and handling Water for Humanity Funds.

V. Failure to Comply with Audit Requirements

Charge 25– Failure to Conduct an Annual Audit Requirements

The ASD Bylaws Chapter X, General Membership Committees requires that an annual audit be conducted by three members elected at the annual meeting. If the membership fails to elect auditors, then the Trustees-At-Large must appoint an auditing committee of three members or hire a Certified Public Accountant.

Prior to 2016, we are unable to identify conduct of any required audits in almost a decade. In Board meeting minutes dated June 5, 2015 (Exhibit 43) it states that there has been no financial

audit since 2006. No audit reports were provided to members for the financial years ending in 2014 or 2015 meetings as required.

In 2015 the members were not asked to elect an auditing committee as required by the bylaws. Members of the audit team were not selected by a Trustee-At-Large nor was a CPA hired. In an email to the audit committee Martin Lucas indicated that he would find members (after two members left the Committee due to its focus to go after WFHF committee members). For 2016 an internal audit was conducted, as noted below it did not follow the ASD requirements including the scope of the audit, standard audit practices, and did not have anyone with financial expertise on the team. At the 2016 annual meeting, members reaffirmed the requirement and need for an independent audit and as noted below ASD's lawyer recommended that an audit be conducted by an outside certified public accountant.

The Board members cited have not complied with their fiduciary responsibilities and have failed to comply with the ASD Bylaws, leaving the organization open to misuse of funds, unaccountability in organizational finances, and a lack of checks and balances.

Charge 26 – Improprieties in the 2016 Annual Audit

The ASD Bylaws, Chapter X Section 1 require that an annual audit be completed by at least three members appointed by the Members at the annual meeting or if the membership failed to elect auditors then the Trustees-at-Large would appoint the members to the committee or hire a Certified Public Accountant be hired. Chapter X §I(c) requires that the audit examine the accounts of the Treasurer and determine their compliance with the procedures outline in Chapter VIII, Section 2 (Board of Trustees. Duties of Officers). The auditors must determine whether there is complete and accurate communication between the Offices of the President, Secretary and Treasurer in all matters relating to money and finance.

Martin Lucas in an email to the Board in March 4, 2016 also stated the audit requirements and indicated that neither the officers nor the Board of Trustees would interfere in any way with the work of the audit committee or their findings. (Exhibit 44). As noted above, the appointment requirements were not complied with.

In 2016 charged member Lee Ann Potter chaired an audit committee appointed by Martin Lucas. This audit is of particular relevance as it was used as the basis by the Board to terminate many memberships, including life memberships resulting in the hardships described. Therefore, the audit intent, scope and results are particularly important as these did not comply with Bylaws or accepted financial or audit practices. While we believe many of the charges were inaccurate, the focus of these charges are based on violations of State laws and Bylaw procedures. If desired by the Ethics Committee, the Complainants will provide further evidence to document the erroneous findings in the 2016 audit report.

(1) Members were not appointed by the Membership or Trustees at Large in violation of the Bylaws (see the charge above).

(2) The Audit did not include and examination of the accounts of the Treasurer to determine compliance nor did the audit review complete and accurate communication between the President, Secretary and Treasurer. The entire focus of the audit was the WFHF and its

members. To the best of our knowledge no budgets were even requested or examined except from the Water for Humanity Fund, therefore the audit did not comply with this Bylaw annual audit requirement.

Both Linda McCall and subsequently Janis Fallon participated on the audit team (led by Lee Ann Potter and one other member) and both resigned when it became evident that the audit's intent was to remove those associated with the Water for Humanity. Both Ms. Fallon and Ms. McCall will provide direct testimony and information to the Ethics Committee on their experience with the audit. Both recommended strongly and repeatedly that someone with financial expertise (a member or third party) be on the three person audit team as no member of the team had any financial or accounting background or expertise. Lee Ann Potter refused to consider these requests. Ms. Fallon also testifies that Lee Ann Potter told her that she was blind copying Martin Lucas, President on all audit communications. This would appear to be a violation of a fair and independent audit if at least one Board member was involved in the committee investigation.

Ms. Amy Loomis, one of the members whose life membership was removed by the Board had provided information to the 2016 audit team led by Lee Ann Potter – see her testimony below. Also additional details are contained in her letter of support for Steven Herbert dated April 15, 2017 that discusses concerns she specifically identified and brought to the Board's and audit team's attention that were not investigated in the 2016 audit or addressed and that were potentially serious ASD financial related issues that should have been included per the Bylaws (Exhibit 45):

> "There was no mention of my written and oral communications with the ASD CPA, Kevin O'Brien, Diane Bull, and Lee Ann Potter. This withholding of information in the internal audit report skewed the information considerably. My testimony, if utilized, would have focused the problem on record keeping and accountability as ultimately resting with the Trustees' mismanagement of headquarters and oversight of WFHF. One of the final conclusions of Lee Ann Potter was that there were problems with headquarters record keeping but she did not describe it in the audit or collect data accordingly. I was very clear with Lee Ann Potter when she started the internal audit, that any audit that did not include headquarters and their policies and procedures would be inappropriate. WFHF did not handle monies, except to receive funds from donors at the convention or other activities and immediately turn those dollars over to the ASD bookkeeper for deposit to the appropriate bank account. Additionally, Lee Ann Potter refused to interview volunteers as part of the audit, analyzing emails as the primary source of data.
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> The ASD attorney, Jennifer B. Black, stated to "Annette and Ms. Potter" in her cover letter published on the second page of the internal audit that "your status as a 501 c3 organization and as a Vermont nonprofit is in jeopardy due to poor recordkeeping and a lack of accountability." This has been one of my expressed concerns over the last four years as I have attempted to write grant proposals, prepare program and financial reports for the Annenberg grant, and consult on grants management policies and procedures. The initial application to the Annenberg Foundation resulted in the identification of numerous errors in the IRS 990. I was aware that grant applications

would require close scrutiny of internal documents and IRS public documents. I endeavored to consult as a volunteer by advising course corrections to optimize the potential for successful grant applications. I followed the financial aspects of this Annenberg grant, initially with Nathan Platt and Blair Wolston and later with Kevin O'Brien and Lisa Lacoss. This grant was awarded to ASD and not to WFHF. Later when preparing the final report to Annenberg, I discovered numerous errors in the headquarters' documentation of data, recordkeeping and the assignment of grant funds to appropriate ASD cost centers.

I initially spoke with ASD's CPA, with Kevin O'Brien's encouragement, in order to assure that ASD grant applications would have the most reliable presentation for foundations reviewing the 990 and other relevant documents. I was surprised when the CPA said that this could not be done until the ASD headquarters software was reconfigured and that the bookkeeper could be trained accordingly. The CPA recommended using non-profit QuickBooks rather than for-profit QuickBooks, reconfiguring the cost centers to allow adequate bookkeeping for WFHF, the convention and the bookstore and then training the headquarters bookkeeper in this software. Thus the bookkeeper could track general donations and restricted funds in the software. She could also track letters to donors, pertinent tax information, etc. And then the CPA could appropriately fill out the 990. None of this was the responsibility of WFHF volunteers including Secretary Steve Herbert or the WFHF Treasurer who had no access to this software. I conveyed this information to Kevin O'Brien, Diane Bull (Finance Committee) and later to Lee Ann Potter. When Kevin left the Board of Trustees I later forwarded all pertinent documents to Tick Gaudreau so that the Treasurer was informed of my concerns. I believed that it was mandatory that headquarters' recordkeeping, management and procedures were reviewed in an internal audit. No one would listen. The expressed desire to get rid of Steve Herbert had already been decided and I believe they wanted this audit to justify that previous decision. I felt like a victim of a politically motivated vendetta as I advocated for objective analysis of data and its flow from headquarters to the WFHF Treasurer. Later I learned that two people quit the audit committee independent of each other and unknown to each other, each calling it a "witch-hunt." (Linda McCall and Janis Fallon, Esq.)

I also recounted to Audit Chair, Lee Ann Potter, my concern regarding requiring WFHF records at headquarters because the Acting Office Manager was not trained in grants management and adamantly refused to do the requisite work connected with that task. And it was not in her job description to do so. No job description at headquarters included any grants management tasks, which in my professional opinion was a major problem."

Ms. Michelle Hicks, WFHF Treasurer also provided financial information including numerous emails that indicated donations to the restricted fund were in ASD general accounts and had not been put in WFHF funds for donations where donors mentioned their donations. (Exhibit 46). It is not know the extent of the issue as her repeated requests for information on accounting and donations were not responded to by the Treasurer or Office Manager. In her response to Lee Ann Potter she asked why Steve (Herbert) was being targeted, why

donor money was being used for ASD legal costs, and lack of concern regarding donations put in ASD accounts not where donors specified. As noted in other charges this is serious as it violates Vermont Trusts and Nonprofit laws and opens the organization to civil and criminal liability.

The 2016 audit was reviewed by the ASD's attorney and this information was also presented at the Annual Membership Meeting. The attorney recommended that an outside audit be done asap. It is almost a year later and no results of any external audit or internal audit for 2017 have been provided to the membership. The ASD Office Manager indicated that auditors had not requested documentation yet from her (as the week prior to this filing).

If the Ethics Committee desires additional testimony or evidence addressing specific accusations in the 2016 audit or background, please let us know and we will provide more evidence (and charges). As noted, this document is based on procedural issues primarily, therefore we have not attempted to address every finding in the 2016 audit and its validity.

The 2016 audit did not comply with ASD's Bylaws and serious financial information provided to Board members and the audit chair were not investigated or included leading to potential liability and harm to the organization and its members.

VI. Financial Information

Vermont Statutes 11B Nonprofit Corporations §16.01(b) requires that the appropriate accounting records be maintained.

Charge 27: Failure to Provide Financial Information to Membership

Vermont Statutes 11B Nonprofit Corporations §7.01(d)(1) requires that the president and chief financial officer (e.g. Treasurer) report on the financial condition of the corporation. Under the ASD Bylaws, Chapter VIII Board of Trustees and Executive Officers, Section 2(e) requires that the Treasurer comply with financial and tax regulations and file necessary reports. A financial report must be given at Board Meetings and an annual report to the membership.

Budgets were provided to the ASD Treasurer by the Water for Humanity Fund, but to the best of our knowledge, no other committees were required to submit budgets.

In the May 31, 2016 Board meeting the Board stated that there was no Treasurer's report but that all is good.

No ASD budget report was provided to ASD members at least since the 2015 membership meeting as required by State Law. We are unable to find any budget information on the ASD website or that has been distributed. The Board has violated State Law and their fiduciary duties to the membership of the ASD.

VII. Annual Meeting Violations

Charge 28: Failure to provide Required Notice Information for the Annual Meeting

Vermont Statutes 11B Nonprofit Corporations §7.05 (a) & (c)(2) require that notices of meetings are be fair and reasonable. To be fair and reasonable the notice of the annual meeting must include a description of any matter or matters which must be approved by the members.

The charged members of the Board have failed to comply with this legal requirement and have not provided notices which identify those issues that require approval by the members. This is another example of poor governance and violation of State statutes.

VIII. Conflicts of Interest

Charge 29: Board compensation for services rendered

The Vermont Nonprofit Statute 11B §8.12 and 8.13 require that no more than 49% of board members may receive or have received any compensation directly or indirectly from the organization for services within the past 12 months. ASD Bylaws, Chapter VIII. Board of Trustees and Executive Officers, Sec.4 also prohibits any Official from receiving any compensation for services rendered to the society.

It is believed that some of the charged members of the Board have received compensation from the ASD for services including speaking and courses. At the May 31, 2016 Board meeting Martin Lucas indicated that he would receive compensation for his services for a class he would present although he also stated that the Board were all volunteers.

As noted in the charge above, we are unable to obtain budgetary information as required by State Law, therefore we request that the Ethics Committee investigate this charge. This is a very serious offense as it allows Board members to be sued individually as well as regulatory enforcement.

IX. Bad Faith Misrepresentations and Actions Related to the Earth Water Alliance

Charge 30: Bad Faith Actions Related to Earth Water Alliance

Much of the charges listed in this section are based on testimony from members of the Water for Humanity Fund who are included in the wrongful termination charges in the first section as well as attached documentation. The Ethics Committee is urged to contact these individuals directly for additional testimony or affidavits can be provided.

Ms. Jean McDonald, a Board Trustee who had her membership terminated as described in the initial section, confirmed that President Marty Lucas on March 9, 2016 urged the WFHF committee members to start a new non-profit which would receive the WFH funds and that this new non-profit was formed and registered as a 501(c)(3) (Exhibit 9) She documents that the Board held a closed session on April 26, 2016 and disbanded the WFHF and voted against transferring the funds.

Ms. Amy Loomis, an ASD member whose lifetime membership was terminated by the Board as described in the first section provided a detailed summary with attachments of the EWA Formation and timeline. (Exhibit 47). It documents President Martin Lucas's directions (apparently on behalf of the Board) to form a new non-profit that will receive the WFHF. In reliance on his direction this was done and after Mr. Lucas and the Board disbanding WFHF and removing its members and freezing the monies (although using the WFHF donations for ASD legal and other costs as detailed in other charges), the Board in closed session voted not to transfer the monies with Mr. Lucas making the tie breaking vote to deny the transfer. Later the Board indicated the WFHF would continue and would be led by one ASD member and raffles would continue. As described elsewhere the Board then took disciplinary actions against WFHF committee members including termination of life and other memberships as described in Section 1.

Earth Water Alliance only came about as a direct response to the offer by Martin Lucas and Kevin O'Brien on a lengthy phone conference in which there was a clear condition place on an unequivocal assertion that if there was a de jure nonprofit formed, ASD would transfer the WFHF funds. Relying on that offer Ms. Loomis and Ms. Bower qualified the Earth Water Alliance for the initial sole purpose of accepting this condition. Time and money went into creating the Earth Water Alliance to their detriment. As a matter of contract law, there was an offer, an acceptance, fulfillment of the condition creating a valid enforceable contract. The charged Board members then reneging was a breach of contract.

Also see in subsequent sections where IRS regulations were also violated in regards to use of WFH Funds by the Board.

The Board exhibited poor corporate governance, misconduct and bad faith in its actions (other statutory and Bylaw violations are further described in other sections related to this as well). The steps targeted the WFHF committee members and Board liaisons and led to the Board filing Ethics Charges against them causing significant personal harm and financial damages, including costs to create a new 501(c)(3) as directed by Mr. Lucas and the Board.

X. Financial Issues and Improprieties

Charge 31: ASD not accounting for Chapters and Finances as Required by Bylaws

Chapter VII Chapters and/or Regional Subdivisons establish provisions for the formation of ASD chapters and requirements for annual reports. Internal Revenue Service Laws and Regulations (IRS) on the State and Federal level require that those chapters under the ASD that are using the ASD's tax identification number be included in ASD financial accounting and tax filings. Regional conventions are also using the ASD tax identification number.

Under the ASD Bylaws, Chapter VIII Board of Trustees and Executive Officers, Section 2(e) requires that the Treasurer comply with financial and tax regulations and file necessary reports. A financial report must be given at Board Meetings and an annual report to the membership.

During the 2016 audit it became clear that the ASD could not identify how many chapters there were using its tax identification number, was not requiring or receiving annual reports from

Chapters, or reporting income as required by laws. During one interview Janis Fallon was told that ASD's accountant at the time was losing sleep over this and the potential liability. Ms. Fallon did request to Lee Ann Potter (audit chair) to speak to accountants and others with potential information on this topic, however Ms. Potter directed that the focus was on a hostile response letter to Mr. Prater who was associated with Water for Humanity as documented in the charges and Water for Humanity members. Ms. Fallon would be happy to testify before the Ethics Committees and provide additional emails related to Lee Ann Potter's audit focus.

Due to this lack of basic financial accounting required by laws, the Board has placed the ASD in jeopardy for serious civil and potentially criminal liability.

Charge 32: Lack of Accounting for the American Society of Dowsers Trust Fund

The ASD Bylaws Chapter XI established a trust fund called the American Society of Dowsers Trust Fund (Trust Fund). §3 requires that a Trust Fund Advisory Committee consisting of three ASD members who are financial advisors, accountants, or CPAs be established and annually review the performance of the fund and recommend if the funds be kept with the current investment trustee or be changed. The Bylaws (§3) also require that a new member be elected each year at the annual membership meeting and that reports be given at each annual meeting. Quarterly reporting is required by Investment Trustee, the Chairman of the ASDFT committee and the ASD Operations Manager (§7).

In the latter part of 2015, Ms. Dreama Brower was appointed as a member of the of the ASDFT committee (and as noted in the initial section of charges, one of the members which the Board improperly charged and terminated her membership). Ms. Brower requested information from the Treasurer and Board on the amount of money contained in the Trust Fund and it could not be provided. Funds were moved from one bank account to another without authorization or knowledge of the Trust Fund Committee preventing any oversight or fulfillment of the committee's responsibilities under the Bylaws. The Board has not provided reports on the Trust Fund at annual meetings as required. It is unclear whether the Trust Fund contains monies donated or if they have been handled improperly or misappropriated. In her resignation letter to the Board dated May 24, 2016 (Exhibit 24) Ms. Brower indicates the lack of communication from the Finance Committee with the Trust Fund committee members including unable to identify the amount of money that the committee was to manage, lack of authorization to move funds to a new bank account and concern over the management of the Trust Fund.

In 2015 Ms. Jean McDonald a Board member at the time also enquired into the Trust Funds amount that wasn't made available even to the full Board. (Exhibit). In an unsigned letter to the membership by "The Executive Committee'' (Exhibit) dated May 18, 2016 it is stated around $800 though no financial report or exact amount are presented.

XI. Election Violations

Charge 33: Violation of election process

The Board failed to follow the Bylaws, Chapter 1X Elections in the last election. At the annual meeting in 2016 an individual was named to lead a Nominating Committee to survey the entire membership to prepare a list of candidates for election. §1 requires that the Nominating

Committee have representation of each region plus one appointee by the president. The Nominating Committee did not meet the By-Law requirements.

Charge 34: Election Ballots Improperly limited Write in Candidates to Former Trustees

The ASD Bylaws Chapter IX Elections §2 require that the mail ballot provide a space for write-in candidates of the voter's choice.

The ballots sent to the membership for the last election added additional provisions that the write-in candidate must have been a trustee. This violates the Bylaws right for members to write in candidates of the voter's choice.

Charge 35: Ballot Accounting Requirements were not Complied With or Reported as Required

The ASD Bylaws Chapter IX Elections §6 requires that all ballots must be received by three inspectors who are members of the Auditing Committee. These inspectors must be sworn to perform their duties and report in writing the results of the ballot. This report must be published in the American Society of Dowsers Publication.

We do not believe this requirement was complied with. No report signed by the three sworn inspectors has been published in any ASD quarterly publication since the election.

In addition, in 2015 Ms. Jean McDonald a Board member at the time, requested results of the 2015 election for Bylaw changes and was told they were unanimous although she and others she knew had voted against them. She also notes results of elections not being reported as required noted in the charge above (Exhibit 9).

Bylaw requirements were violated by the charged Board members in regards to elections as detailed above.

XII. Other Violations

Charge 36: Bylaws available to members have not been updated to reflect membership ratified amendments since 2006.

The Board posts the Bylaws governing the organization on the ASD website and presumably these are the Bylaws that govern the Board and the governance of the ASD. These Bylaws note that they were last amended in December 2006. During elections since 2006 numerous bylaw changes were proposed. As noted in other charges, the results of elections and bylaws change results have not been overseen by three independent inspectors as required nor have the results been published in the Digest. Requests noted in charges for this information have not been provided.

In their response to Jean McDonald's resignation (Exhibit 10) an unsigned letter to membership by the "Executive Committee" states that in 2015 there were eight bylaw changes. It is presumed there are others in the period since 2006.

This is a violation of the Bylaws and an example of poor governance practices as members are unable to know what other Bylaw requirements are in place or comply with them if they have changed, including responding to Ethics Charges. It is not clear if the Board or this Executive Committee are operating under other rules and requirements than what is published as the organization's bylaws on the ASD website.

XIII. Violations of Duties of Care and Loyalty and Bylaws Code of Ethics

Charge 37: Board Member Meeting Minutes Not Available to all Members

Vermont Nonprofit Corporation Law 11B §16.01 requires that a corporation keep permanent records of meetings of its board of directors, a record of all actions taken by the members or directors without a meeting, and a record of all actions taken by committees of the board of directors. Section 16.02 provides that these must be available to members upon written notice.

Board meeting recordings and minutes are not made available to members. These minutes are not posted on the website including on the members only portion. In notices of meetings sent to members no phone number is listed. Written requests by members whom have had their life and other memberships terminated as noted in the charges have not been responded to and these Board minutes that Vermont State Law requires be available to members has not been provided. This lack of accessibility and transparency is another example of violations of Vermont Statutes and poor governance practices by the charged members.

Charge 38: Improper Decision Making Not Involving Entire Board

The Board frequently has small Executive Committee meetings excluding the entire Board of Trustees. These are often inappropriately closed executive sessions and as noted in the charges above, decisions are often made for disciplinary action by this small group of charged members without the entire board involvement as required by the Bylaws. While Vermont laws does not address directly closed sessions for nonprofits, that we have been able to identify to date, minutes are still required to be taken as noted in the charge above and if involving disciplinary actions the Vermont Statutory and Bylaw requirements must be followed.

Charge 39: Whistleblower Retaliation

Actions related to individual charges made by this Board have not been kept confidential as well as not investigated as required as noted in charges above. In cases were others defended terminated members and attempted to use proper procedures be followed, then their memberships were terminated (e.g. Danville Chapter President in the last month). The Board has created an atmosphere of fear and retaliation for anyone who speaks up or points out legal and Bylaw violations. This has damaged individuals as well as the entire organization. Individuals are afraid to run for election or participate on the Board due to their actions against even fellow Board members who bring up issues or do not agree with the charged individuals on the Board, including those cited in this charge.

Charge 40: Threats and actions designed to inhibit members from speaking up regarding wrongdoings

In an unsigned letter to the membership from "The Executive Committee" it states that ASD was advised to consider individual or group civil actions against those who participate in such writings (presumably those supporting WFHF, in support of those charged, or explanations why Trustees resigned). This threat made to the entire membership is inappropriate and in violation of member's rights to speak including constitutionally guaranteed First Amendment Rights and as part of their rights to fight these Ethics Charges. This is a membership organization and the Board has a fiduciary duty to its members. This is an example of board misgovernance and violation of its duties.

Charge 41: Violation of Donor Confidentiality

Donor's names and addresses were included in exhibits to the 2016 audit that were handed out at the General Meeting in 2016. These exhibits were used to show that Steve Herbert had improperly sent a thank you letter to a donor who had contributed funds in appreciation for a well dowsed by member Bill Getz. Donor information and names, as well as contribution amounts were improperly distributed and were not maintained in confidentiality.

Charge 42: Violations of Standards of Conduct for Officers

Vermont Nonprofits Corporations Statute §8.42 requires that officers must discharge their duties in good faith, with care, in the best interests of the organization and its members. These Duties of Care and Loyalty create a fiduciary duty by the Board members to follow the law, follow the Bylaws, act with care and good faith, act in a reasonable manner. The Vermont Attorney General is responsible for ensuring these duties are fulfilled, as well as the Vermont Department of State. The charged members consistent failures and violations of these standard of conduct as detailed in these charges has caused not only significant harm to individuals, but the American Society of Dowsers organization and membership and opened up the potential for civil and criminal enforcement actions.

XIV. Summary

Based on the above charges, this Complaint is being filed in accordance with ASD Bylaws Chapter XV Code of Ethics, Section 2. Due to misconduct described that violate the Code of Ethics, the abuse and misuse of power, slanderous remarks against other members and violations of State and Federal Law the Complainants request that the charged Board Members be removed from office and suspended or otherwise reprimanded as determined by the non-charged Board members based on the independent Ethics Committee review and investigation. These actions have caused significant emotional, mental, financial harm to individuals and the organization and opened the ASD to further civil and criminal liability due to the actions of these Board members.

Cornell-Brown, Rowan

From: Powers, Michael
Sent: Monday, February 13, 2017 11:32 AM
To: Renner, Jamie
Subject: American Society of Dowsers
Attachments: Memorandum 2-13-17.docx

The memo I owe you regarding the American Society of Dowsers complaints.

Michael T. Powers
Investigator
Vermont Office of the Attorney General
109 State Street
Montpelier VT 05609-1001
802-828-0096
michael.powers@vermont.gov

MEMORANDUM

TO: Jamie Renner

FROM: Michael Powers

RE: The American Society of Dowsers [ASD]

DATE: 2-13-17

The ASD is a national organization based in Vermont. It is governed by a working board and has a worldwide membership of 2,000 or more. There is a functioning board and a small staff but no executive director.

Since early 2016, we have received complaints regarding the ASD: the earliest were member complaints made against the ASD and its treatment of the Water for Humanity Fund (WHF). Most recently, re received a complaint against the WHF.

1. **Membership Complaint**s

We initially received a February 29, 2016 complaint about ASD from a member in Idaho, Amy Loomis. Her concerns centered on ASD's Water for Humanity Fund [WFH] that provides funding for projects such as digging wells for clean water in various parts of the world.

On March 4, 2016, ASD announced that WFH funds were temporarily frozen, pending the completion of an audit, although the fund continued to receive donations. This freeze followed some debate and argument between the WFH committee and The ASD board. The WFH chair was discharged, and the committee became inactive. Ms. Loomis stated that planned disbursements from the fund were interrupted by the freeze. She said she was concerned the restricted funds might not be used for their intended purpose. **[14 V.S.A. §3416 and 14A V.S.A. § 405]** However, the ASD assured its membership the money would be used as intended after the audit was completed.

The ASD considered moving the fund to another non-profit. Ms. Loomis and others began a new non-profit, Earth Water Alliance, Inc., registered in Boise, Idaho, to accept the WFH fund. However, as on this date, there has been no transfer.

As of February 13, 2017, the ASD website was still requesting donations for the WFH fund with the statements, "Donate to the Water for Humanity Fund," "Help provide water and equipment to those less fortunate," and "All donations are tax-deductible." However, we do not know whether the fund is active or if there is a functioning WFH fund committee.

There was no initially no evidence reason to indicate that ASD would use WFH fund donations inappropriately. There had been two claims that the ASD intended to us some WFH funds for legal fees related to complaints about the fund, but that did not appear necessarily inappropriate. However, member Jani Fallon later contacted us to state she was on the 2016 ASD audit team looking at the WFH. She claimed ASD was unable to accurately account for WFH donations and that it appeared some WFH donations were not deposited into a WFH account but were put in other ASD accounts or were not accounted for at all.

We received additional complaints alleging ASD was not making financial information available to members who request it. [**11B V.S.A. §§ 7.01(d)(1) and 16.02**] Dreama Brower, who said she is a CPA and a former member of the ASD finance committee, stated she left the committee in March 2016, because she could not get financial information from the treasurer, despite repeated requests. She also said that, at the June 2016 annual meeting, no financial information was provided on the pretext that the former treasurer had resigned two weeks earlier, although the financial report was to cover the year ending December 2015. The new treasurer also said he was unsure whether financial information left by the predecessor was accurate.

Another member, Jean MacDonald, wrote an undated note to the ASD board and membership in which she indicated that she had been unable to get:

1. Accurate figures for the balances in ASD's trust funds;
2. Information about the funding requests for 2016 made by various committees;
3. Amendments made to the ASD budget;
4. The amount the 2016 annual convention was over budget;
5. The amount paid for an audit and for legal services; and.
6. Ballot totals for a 2015 by-law vote or for a trustee vote.

2. Board Member Complaint

On February 1, 2017, ASD member Lee Ann Potter stated that he was a member of an audit (non-financial) committee that examined the operations of the ASD, including the WFH fund.

Mr. Potter made several allegations regarding what he concluded was mismanagement of the WFH fund, prior to the ASD discharging the chair and freezing the fund (see above). Some of his claims actually reflect back on ASD, because the WHF is its creature. Mr. Potter's allegations include:

1. The WHF committee did inform the ASD about all its communications with donors, and some records regarding donations to the WHF are missing. **[11B V.S.A. §§ 7.01(d)(1) and 16.01]**;

2. Some WHF documents were made available only its committee members, and not to the ASD;

3. On at least 4 occasions, the WHF falsely represented that donations were tax deductible;

4. The WHF used the services of a graphics company owned by the sister of the WHF secretary without considering other quotes **[11B V.S.A. § 8.31(a)]**;

5. The WHF secretary solicited money foe fund expenses and salaries.

6. In 2012, the WHF donated money an All Indian Dowsers Society Annual Convention – a use of funds outside the WFH fund stated purpose **[14 V.S.A. §3416 and 14A V.S.A. § 405]**; and

7. Employees have been ordered to write checks and make purchases by credit card without records to support the purchases.

Cornell-Brown, Rowan

From: Powers, Michael
Sent: Wednesday, February 1, 2017 9:22 AM
To: [redacted]
Subject: American Society of Dowsers

Ms. Porter:

Thank you for your e-mail this morning. I would like to speak with you about this further. Do you have time tomorrow to talk?

If you send me your number, I could call any time before about 2:30 p.m.

Thank you.

Michael T. Powers
Investigator
Vermont Office of the Attorney General
109 State Street
Montpelier VT 05609-1001
802-828-0096
michael.powers@vermont.gov

Cornell-Brown, Rowan

From: [redacted]
Sent: [redacted]
To: Powers, Michael
Subject: American Society of Dowsers
Attachments: 10-31-18 reply.docx

Dear Mr. Powers,

Attached is a letter I've just sent to the Board of ASD. It is in reply to the letter sent to me by President, Lee Ann Potter asking if I really did sign Janis Fallon's letter of June 2017.

So many good members feel the same way as the group that signed Janis' letter, they just do want to be involved with the negativity.

As you'll read in my letter, Water for Humanity meant so so so much to me. The thought of having to walk for water, daily walk for water, I just feel for those people who have to do that. The 'volunteers' of WFH donated their time to go and find water, teach the people dowsing, and to maintain their well. The feeling of helping these people really mattered/matters to me. I've now adopted as my charity of choice 'Charity: Water' based in NYC and run by Scott Harrison. He has just released the book 'Thirst'. You may check them out at charitywater.org

What ASD has done to Steven Herbert is really almost irrational. This man has dedicated his life to make this world a better place. He was in the Peace Corp when he was younger. All of us who signed Janis Fallon's complaint totally trust and believe in Steve. ASD has destroyed WFH. To me it was the meaning of being a 'Dowser' helping those is need to get water.

Thank You for reading by woes,

Susanne Dillon
Life Member of ASD

Susanne E. Dillon
[redacted]

October 31, 2018

Attn. Lee Ann Potter, President
The American Society of Dowsers
PO Box 24
Danville, VT 05828

Dear Lee Ann:

This letter is a reply to your request of your October 9, 2018 letter. You asked if my name was in support of the charges sent in by Janis Fallon in June 2017.

Janis did not arbitrarily put 14 names down on those charges. All listed, including myself, are behind the charges. Many more agree, but would rather not get involved.

When those in charge at American Society of Dowsers (ASD) follow its By-Laws and Policy and Procedures Manual (PPM), it would save much heartache. My heart and soul went into helping raise money for Water for Humanity (WFH) by running its raffle at convention for many years. By removing Steven Herbert from WFH, you have basically killed its existence. Since Steve's departure, I believe you have lost members; attendance at convention is down. Steve would not have done anything intentional to harm ASD or WFH, yet you found him guilty. This was done without following, as I understand, By-Laws or PPM. When ASD feels there's a problem with a member, it is to be heard first by their Chapter.

WFH existence was why I got involved with ASD and many other members feel the same. To help people in third world countries get water, means a lot to many members.

In the past you have taken away membership, even life membership, to many who have brought to your attention that By-Laws and PPM are not followed. Asked for an Ethics Committee to hear all involved.

In truth,

SUSANNE E. DILLON
Life Member

Cornell-Brown, Rowan

From: Powers, Michael
Sent: Friday, June 1, 2018 2:15 PM
To: Idaho Dowsers
Subject: American Society of Dowsers

Good afternoon, Ms. Loomis.

I wonder if you could provide the following information:

1, On the 59th page of the 2017 complainant against ASD by Attorney Janis Fallon, there is an allegation of conflicts of interest in the ASD. The example given relates to one ASD official contracting with his sister for graphic design and printing.

Are there any other examples of such conflicts you are aware of?

2. There is a claim that half or more of the board members have a financial interest in ASD. Can you expand on that?
3. If the option were presented, are you and the others who lost membership in the ASD interested in reinstatement?

I hasten to ad that none of the questions above implies a particular resolution.

Thanks very much.

Michael T. Powers
Investigator
Vermont Office of the Attorney General
109 State Street
Montpelier VT 05609-1001
802-828-0096
michael.powers@vermont.gov

Cornell-Brown, Rowan

From: Dreama Brower [redacted]
Sent: Thursday, November 16, 2017 7:48 PM
To: Powers, Michael
Subject: ASD - Water for Humanity Fund's Grant Commitments
Attachments: Accounting of funds available 2016 03 (sent to VT AG).pdf; WFHF Grants 2016 05-14 FINAL (sent to VT AG).pdf

Michael:

Attached are two documents that provide data regarding the American Society of Dowser's (ASD) Water For Humanity Fund (WFHF) grant requests and commitments at the time the WFHF Committee was disbanded by ASD. This data was provided to the Board of ASD by the Secretary of the committee, Steve Herbert.

The file titled "Accounting of Funds available 2016 03" was a document that the Secretary provided at committee meetings to show the funds that were immediately available for the WFHF committee to expend in response to grant requests.

The file titled "WFHF Grants 2016 05-14 FINAL" was an accounting of grant requests and commitments that was provided to ASD once the committee was disbanded. This file is an excerpt of an excel spreadsheet that was sent to ASD by Steve Herbert when he turned over his files to ASD so they would have an accounting of all requests and commitments made by the committee.

Although some donors have asked ASD for an accounting of their donations, to my knowledge they have been unable to obtain this information from ASD. Thus, I cannot advise whether any of these commitments were fulfilled subsequent to disbandment of the WFHF committee in March of 2016.

Dreama Brower
Conscious of our Unity

Accounting of the funds we have available to allocate to projects

Updated March 14, 2016

As of the end of January, according to our bank statement, we had a balance of $23,126.69.

To know how much we have available to use, we must deduct the following:

$1,500 Our "buffer", the committee voted 6/14/03 to keep this amount minimum in our account in case of the need to vote for any emergency aid.

$467 Amount left of $1,000 originally voted to reserve for WFH name and logo registration on 1/10/07.

$2,550 Earmarked for Steve's travel & project expenses - $2,000 of this was approved at the 1/14/10 meeting to come from a restricted fund for volunteer travels and projects, assumed to be for a trip to Kenya at the time, but may be another country depending on circumstances. Another $550 was specifically restricted for Steve's travel and project expenses.

$2,530.63 Balance of funds restricted for volunteer travels and projects.

$4,011.36 Balance of funds raised through Indiegogo campaign 3/27 to 5/12/2014 for projects with Health Education and Development Society (HEADS) of Tamil Nadu, India, not yet allocated.

$4,000 Funds voted for projects but not yet debited; Honduran ceramic water filter distribution.

$5,366 Funds voted for projects but not yet debited: WORD ($657), BOSS ($2,046), Jasmine ($1,607), RPDS ($2,046) and Aid Tanzania ($1,056)

$850 Current balance of funds in the David Pitkin Memorial Fund.

$420 Current balance of funds in the Rene Lincoln Memorial Fund.

$48.24 Current balance in the Frank Hoenig Memorial Fund

$25 Current balance of funds in the India Society of Dowsers restricted fund.

Total of all the above is $21,768.23. Subtracting this amount from $23,126.69 leaves $1,358.46 to work with.

Water for Humanity Fund - Grant Requests & Commitments

Recipient Organization	Country Locale	Requested Purpose	Approved Purpose	Amount of Request	Amount Approved	Date Proposal Received	Date Grant Approved	Completion Report Received E=Electronic, H=Hard copy	Estimated Future Grant
ASAPROSAR - Asociacion Salvadorena Pro Salud Rural (Salvadoran Association for Rural Health)	El Salvador / western	ceramic filter distribution. Annual request same amount	filter distribution, Annual, Phase 7	1,000	1,000	Annually since 2006	1/10/2015	05/09/2015 for 2015; not yet received for 2016	January 2017 Annual Grant of $1,000
Rita Marley Foundation (in partnership with Konkonuru)	Ghana / west Africa	Construction of 3 bore wells with electric / hand pumps	(2 wells complete) 1 well under construction	6,315	6,315	8/4/2014	9/21/2015		
WORD - Women Organization for Rural Development	India / Tamil Nadu	water awareness activities	World Water Day awareness campaign	657	657	1/3/2016	1/7/2016	e 4/7/15	
IRWED - Integrated Rural Women Education and Development	India / Tamil Nadu	Construction of 3 bore wells with hand pumps	last well of 3	2,922	-	12/19/2012	2/17/2015	e6/18/2015	
RPDS - Rural People's Development Society	India / Tamil Nadu	Construction of 4 bore wells with hand pumps	first well of 4 complete; remaining 3 under construction	4,234	4,234	2/21/2014	02/17/2015 & 2/29/2016	h 7/16/2015	
SWEET - Society for Women Education and Economic Trust	India / Tamil Nadu	Construction of 5 bore wells and hand pumps	first well of 5	4,333	867	2/27/2014	2/17/2015	e12/3/2015	Remaining 4 wells
SCORE - Society for Community Organization and Rural Education	India / Tamil Nadu	Construction of 5 bore wells and hand pumps	first well of 5	6,500	1,250	5/28/2014	2/17/2015	e8/27/2015	Remaining 4 wells
SIVA - Social Improvement Voluntary Association	India / Tamil Nadu	Construction of 8 bore wells and hand pumps	first well of 8			10/12/2010	2/17/2015	e6/18/2015	Remaining 7 wells

SRHDP - Society for Rural Health and Development Project	India / Tamil Nadu	Construction of 7 bore wells with hand pumps	first well of 7	6,833	942	11/22/2013	2/17/2015	e7/15/2015	Remaining 6 wells
JASMINE Society	India / Tamil Nadu	10 of original 30 rainwater harvesting systems	5 rainwater harvesting systems	6,428	1,607	5/24/2011	6/7/2015		for remainging 5 upon resolution of annual reports to TN
SWEAT - Society for Weavers Education and Appropriate Technology	India / Tamil Nadu	Construction of 6 bore wells and hand pumps	3rd well; 3 remaining	6,450	753	5/8/2015	6/7/2015		Remaining 3 wells
TNTDS - Tamil Nadu Tribal Development Society	India / Tamil Nadu	Construction of 3 composting latrines at 2 schools	2 composting latrines at 1 school	2,835	1,890	4/25/2015	6/7/2015		remainder June/July 2016
VDC - Village Development Center	India / Tamil Nadu	Construction of 6 bore wells and hand pumps	1 additional well of 3 remaining	5,062	770	2/7/2011	6/7/2015		
GUARD Society	India / Tamil Nadu	Construction of 5 bore wells and hand pumps	first 2 wells	4,886	1,632	9/10/2013	9/21/2015		
Architecture & Vision	Italy / Ethiopia	research & development of Warka Water Tower	Research & development Warka Water Tower	700	700	Kickstarter	1/10/2015		
KODI - Konditi Development Initiative International	Kenya / western Africa	Construction of hand-dug well with hand pump	Kagutu community well	7,040	1,016	1/26/2015	2/17/2015	e10/21/2015	

RETEC - Riamogire Energy and Technology Center	Kenya / western Africa	Construction of 10 dug wells with rope & washer pumps, and 50 composting latrines	(2 wells and 4 composting latrines completed in 2013) 3 wells & 6 composting latrines currently under construction	3,317	3,317	9/30/2014	9/21/2015		remainder between July & Dec 2016
AT - Aid Tanzania (2nd qtr matching grant of $2,500 requested from Debley Foundation)	Tanzania / northern Africa	Distribution of 200 ceramic water filters	completed 1st qtly distribution of 50 ceramic water filters. 2nd qtly distribution is overdue	14,223	3,556	3/24/2015	6/7/2015		2nd qtly distribution due upon receipt of Debley funds
KCUPS - Kayenje Church of Uganda Primary School	Uganda / south central	Construction of boys' compostign latrines	boys' composting latrines	7,342	7,342	12/17/2014	2/17/2015	e11/20/2015	
St. Bonaventure Indian Mission & School	USA / New Mexico / Eastern Navajo Reservatio n	2 weeks water delivery for Navajo annually, variable amount	2 weeks water delivery in 2015; expect request for 2 weeks water delivery in June 2016	1,600	1,600	9/10/2008	6/7/2015	ongoing	June 2016
Buddha Outcast Social Society (BOSS)	India / Tamil Nadu	Construction of 5 bore wells in 2 projects	3 of 5 wells (Frank Hoenig Memorial)	3,562	2,046	05/21/15	01/17/16		Remaining 2 wells
United Church of Christ of Zimbabwe (administered and supervised by First Congregational Church of Wakefield, NH)	Zimbabwe / southern Africa	Construction of 1 bore well and 2 well renovations	1 bore well and 2 well renovations	2,000	2,000	05/26/14	06/19/14		
Partners of the Americas Program (UVM Professor Dan Baker)	Honduras	water filter distribution project	on hold due to political instability & travel restrictions	4,000	4,000		11/11/13		

Cornell-Brown, Rowan

From: Rebecca Gurland [redacted]
Sent: Sunday, October 21, 2018 10:31 PM
To: Powers, Michael
Subject: ASD investigation

Michael Powers
Vermont Attorney General
Dear Mr. Powers,

I am writing to add my voice to the concern of some members of The American Society of Dowsers. I know that you have been asked to investigate this organization. I was a trustee of this society, resigning in 2016. From this perspective I have seen the board's disregard for bylaws, changes to them without membership votes and ethic violations. They have not been fair and reasonable and allowed due process in their actions in taking away membership of long-time, popular, influential ASD members.

Thank you for your considerations,

Rebecca Gurland
[redacted]

Cornell-Brown, Rowan

From: Merrill Cook [redacted]
Sent: Saturday, October 20, 2018 3:55 PM
To: Powers, Michael
Subject: ASD(American Society of Dowsers) Charges

Hi Michael,

I am a signatory of the charges filed against ASD-American Society of Dowsers.

My name is Merrill Cook from Storrs, Ct. I've been a member ASD since 2007 and have attended all annual conventions but 2017 and have even presented 2x at convention. I love this organization. But the fact that it's being violated legally and spiritually has moved me to no longer be silent about their egregious violations.

A week or so ago I got a certified letter from Lee Ann Potter, President of ASD asking if I had, in truth, signed this charge against ASD. And in good faith I replied to her ASAP. Now, I'm concerned that this may have been done as a means of retaliation for filing the charges identifying violations of federal and state laws and ASD's by-laws. It's possible that I may lose my membership and lose my voice in ASD.

I hope you can help,
Merrill Cook

Cornell-Brown, Rowan

From: Dreama Brower [redacted]
Sent: Thursday, November 9, 2017 9:52 PM
To: Powers, Michael
Subject: ASD/WFHF Publicity to Donors

Michael,

Per our discussion a few weeks ago, I am forwarding the publicity that the American Society of Dowsers provided to potential donors of the Water for Humanity Fund.

1. WFHF Website as of 3/7/2016.
2. WFHF Letter to Supporters 2014 01-20
3. WFHF Year End Report 2014 (mailed to past/potential donors and handed out at ASD's annual convention)
4. WFHF Year End Report 2012 (mailed to past/potential donors and handed out at ASD's annual convention)
5. WFHF Newsletter from ASD dated February 14, 2012
6. IndieGoGo campaign to raise funds for water and sanitation for an Old Age Home in India

I would like to take the liberty of pointing out that the theme throughout all of the publicity is that the Water for Humanity Fund was established to "provide funding for water resources development, purification, protection and conservation worldwide in areas of critical need. The goal in each case is to increase water resources in terms of quality, quantity and accessibility."

If you cannot download the files from google drive and need me to send them in separate emails, please advise.

Thank you for your time and attention to our complaint.

Dreama Brower

1 WFHF Website 2016 03-07.pdf

2 WFHF Ltr to Supporters 2014 01-20.pdf

3 WFHF Year End Report 2014.pdf

4 WFHF Year End Report 2012.pdf

5 WFHF Newsletter 2012 02-14.rtf

6 WFHF Indiegogo campaign 2014.pdf

Conscious of our Unity

Cornell-Brown, Rowan

From: Idaho Dowsers <idahodowsers@gmail.com>
Sent: Monday, March 7, 2016 6:07 PM
To: Powers, Michael
Cc: W Dan Prater Michigan Dowsers; W Michelle Hicks Nova Scotia Dowsers; Idaho Dowsers
Subject: Complaint - American Society of Dowsers
Attachments: PastedGraphic-1.pdf; ATT00001.htm; IMG_3598.PNG; ATT00002.htm

Michael,

Thanks for discussing with me last week a possible investigation of the American Society of Dowsers. Collecting documents for you has been like pulling people from a moving train. I hope this information is complete enough for you to start your review. To better understand the "subsidiary" relationship of the Water for Humanity Fund® (WFHF) to the American Society of Dowsers (ASD), see below selected sections of the ASD Policies and Procedures Manual for WFHF.

On March 4th the American Society of Dowsers (ASD) froze the Water for Humanity Fund® and ordered an audit. As I discussed with you, ASD Trustees have been talking about freezing the fund for several weeks because of conflicts between the WFHF Committee and the ASD Executive Committee, but when Dan Prater, WFHF Committee Chairman resigned as Chair on February 27th they used his resignation as a published reason to freeze the fund (see his letter below). Now that it is frozen, Dowsers.org, the official ASD website, is still showing Water for Humanity on their front page as one of several funds to donate to. (See photocopy below).

ASD has outstanding WFHF disbursements to grantees that have not yet cleared the US banking system. Further information can be provided if necessary. We are also expecting incoming funds including our 7th grant (1st grant in 2005) from one of our partner foundations, Debley Foundation for $2,500 that is to be matched with our funds of $1,056 to fund the grantee for *the second phase of the household ceramic water filter (50) project in northern Tanzania to be conducted in a joint effort of Aid Tanzania and Kiretono Resource Center.* This proposal was submitted in January of 2016 for their board meeting March 4th .

Issues related to the word "fiduciary" appears to be the President's justification for the audit focused solely on WFHF. The following letter from the new President, Marty Lucas, dated March 4th spells out their agenda.

From: AMERICAN SOCIETY OF DOWSERS <asd@dowsers.org>

Subject: A message from our President

Date: March 4, 2016 at 3:04:22 PM PST

To: lodestarpower@gmail.com

Reply-To: asd@dowsers.org

From the Desk of the President;

Our By-Laws require that we conduct an annual internal audit. The audit committee has been formed and will be reviewing our records. When the audit is complete, they will report their findings to the Board of Trustees and the members. This is an excellent opportunity for us to review our business practices and see where we need to improve. Neither the officers nor the Board of Trustees will interfere in any way with the work of the audit committee or their findings.

With that in mind, any member that has documents, records or property that the audit committee should be aware of, is asked to contact the committee at ASDauditor@dowsers.org.

Recently the Water for Humanity Fund Chairman resigned. In his resignation he accused the committee of being "unable to fulfill its fiduciary responsibilities". Based upon these serious charges, all Water for Humanity Funds have been temporarily frozen, until we can determine whether there have been irregularities or not. I have asked the audit committee to prioritize their work in order to clear the reputation of the committee so their work can resume. Rest assured, should the audit reveal that the former chairman's allegations are true, we will take the necessary remedial actions. Likewise, should they prove false.

The ASD Board of Trustees currently has NO evidence that there are fiduciary issues concerning how the committee handles funds. However, when the chairman of a committee makes allegations such as these we must take them at face value and investigate. With full cooperation from the committee and the membership, we expect the audit to be completed quickly with only a minimal interruption of the committee's work. Regular audits are a part of good business practices. We will use the report from this one to help make us a stronger and better organization.

Please note that the celebration of the 25th anniversary of WFHF at convention will go on as planned.

Thank you,

Marty Lucas

President, ASD

American Society of Dowsers, Inc.

PO Box 24

184 Brainerd St

Danville, VT 05828

802-684-3417

www.dowsers.org

This proclaimed reason to freeze the fund was based upon the following resignation letter from Dan Prater, Chairman of the Fund Committee. He resigned as the Chair but remains on the Committee.

27FEB2016

Board of Trustees and Members of the American Society of Dowsers,

I have been the Water For Humanity Fund® Committee Chairman for the past 9 months and would like to take this opportunity to update our fellow members and donors so you are aware of recent events that have severely impacted my Committee's ability to manage your charitable Fund and some of the decisions our Committee have been forced to make in response.

As you may know, the ASD Trustees decided it was in their best interests to fire Steve Herbert effective after the June 2016 convention in Sarasota Springs, New York. Steve has been in a volunteer capacity for nearly 20 years and this was to be the 25th Anniversary of the Water For Humanity Fund®. Steve, having kept the Fund afloat through some rough times became a pillar in which ASD was able to gain footing again. My Committee is thankful and considers itself extremely fortunate to have met, worked closely with, and even been inspired-by Steve's dedication to water resources and a lifelong service to those less fortunate.

Between your member donations and Steve's procurement of grants along with the hard work of past and present committees the Fund has received and dispersed donations that exceed $380,000. The Fund has also had the honor of memorializing many Sky Dowsers over the years with water wells in their name. Some of these Sky Dowsers include; Lynn Monroe, Brett Wentworth, David Pitkin, Robert Conary, Andy Bray, Rene Lincoln and Frank Hoenig. The donations from your Fund have changed the lives of tens of thousands of people all over the world and the membership has a lot to be proud of.

Recently under protest and in the best interests of preserving the Fund, our Committee attempted to change the minds of the Trustees and allow them the opportunity to rescind their decision based on the lack of due process, unjustifiable accusations and the extremely detrimental effect this has on sustaining the Fund in the future.

Our Fund Committee has followed every relevant policy and procedure written by ASD and has never in the past 9 months been contacted by any Trustee with questions related to any wrongdoing, negligence or violations of any kind. Steve has never been given an opportunity to defend himself and there was no due process followed from any document, including the Policy and Procedures Manual, By-Laws, Roberts Rules of Order, or the State of Vermont prior to his forced dismissal. Our Committee has heard the accusations they have levied against Steve and they are a complete Jest and without merit.

To the detriment of both ASD and the Fund they publicly voted not to rescind their decision. The Trustees have also publicly made false written and orally libelous statements in an attempt to discredit Steve and now more recently our Committee. We would like to ensure the membership that these written accusations are very far from the truth and are the sole efforts of a few people's vindictive motives. There has yet to be one single piece of evidentiary support to their libelous statements. If they continue to tell their story long enough people will begin to believe it. We are here to put the rabbit back in the hat. We ask the membership to look deep into the "*Common Denominators*" of the past and present ASD troubles and see who is still in play within the Trustee ranks. These are not coincidental difficulties, these are fundamental commonalities. Sometimes the only vote we have as members of an organization is where we spend our *time* and *money*, so I advise you to spend it wisely.

Other recently non-publicized news includes; the lockout of Steve Herbert from headquarters, the removal of any and all Water For Humanity Fund® nomenclature at convention to commemorate the Fund's 25th Anniversary, purposeful muzzling of members during public meetings, secretive Trustee meetings related to PPM and By-Law changes, Trustee requests to apply a percentage of your WFHF donation directly to the ASD general fund, the forced resignation of President Adhi Two Owls as well as Trustee Richard Benishai and Janet Windsor, just to name a few newsworthy items withheld from the membership.

More recently having placed the Fund in further jeopardy the BOT discussed dismissing our entire Committee and placing the Fund in escrow indefinitely. At this juncture I now find our Committee unable to fulfil its fiduciary responsibilities due to the immobility and futile decisions made by the Board of Trustees. So it is with deep regret and a heavy heart that I now find it necessary to resign my Committee position as Chairman of the Water For Humanity Fund®, effective immediately.

Sincerely,

Dan Prater

The American Society of Dowsers, Inc.

orthern California Dowsers

un Mar 13 @ 1:30PM - 12:00AM

Please Pick a Donation Category

Water for Humanity

Donate

March 2016

S	M	T	W	T	F	S
28	29	1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31	1	2

Volunteers Needed

Cornell-Brown, Rowan

From: Idaho Dowsers <idahodowsers@gmail.com>
Sent: Wednesday, October 11, 2017 11:37 AM
To: Powers, Michael
Cc: Brower EC Dreama; Serino EC John; Fallon, Esq. ECA Janis E.
Subject: Conference call tomorrow

Michael,

This is to confirm our conference call tomorrow at noon Eastern time. This is our call number: (712) 775-7031 access 147-204#. (This includes Janis Fallon, Dreamer Brower, John Serino, and me.)

sorry to be disconnected with you as we try to coordinate this conference call. I am now back in Idaho and I am watching anxiously the news as we have several family still in the area of the Northern California fires.

Best,
Amy LOOMIS
[redacted]

Sent from my iPhone

Cornell-Brown, Rowan

From: Idaho Dowsers <idahodowsers@gmail.com>
Sent: Monday, June 25, 2018 2:35 PM
To: Powers, Michael
Cc: Janis E. Fallon, Esq.; Dreama : Brower; John Serino
Subject: Ethics Charges Update
Attachments: MPowersASDUpdate.pdf

Mr. Powers, please see attached letter. Thank you again for thorough review of these charges. Amelia "Amy" Loomis

Dear Mr. Powers:

When I spoke to you last week you asked me to summarize the new developments in the American Society of Dowsers non-profit. There have been major changes in the organization that cause many of the members and terminated members great concern. We hope you will request a copy of the annual meeting recording.

- At the annual membership meeting June 24th, the Board of Trustees informed the membership that they were **eliminating the Water for Humanity Fund** and giving the monies to several water-related organization, some of whom do not have any goal to use dowsing. We are concerned that this would not honor donors' intent. The Board did not ask for membership votes but indicated that they were intending to take this action.

- The Board released vague **financial information** again this year. It is very brief and some parts do not appear to make sense such as donations and expenditures for Water for Humanity where checking account amounts seemed to match 2017 report amounts and expenditures to hurricane relief organizations don't appear to match what the Board had previously indicated that they had given out. The 2016/2017 CPS audit that the Board received in March 2017 was still not released to the membership or discussed. Nor was the trust fund discussed. As previously noted, the Board continues to refuse to release financial information to Janis Fallon requested in 2017.

- Former Vice-President, Lee Ann Potter, chaired the annual meeting, announcing that **Tick Gaudreau had resigned** and that she was now President. Tick Gaudreau told several members that he resigned because the charged Trustees, had asked him to perform actions that he believed were unethical. Note that President Gaudreau was the only uncharged member left on the Board since Matt Minor, the other uncharged Board member, **resigned this spring.**

- During the annual meeting last week, one of the two members of The Ethics Committee asked for more help on the committee so they could complete their hearing of the charges. Months ago, they had sought assurance that they would not be sued and asked if ASD's insurance provided coverage. Marty Lucas (a charged Board member) indicated they might not be covered and stated that their prior insurance company had terminated ASD coverage because of the charges. This appears to be a form of intimidation that resulted in no additional volunteers and the Ethics Committee discontinuing their work. **As noted no Ethics Committee members contacted those charged or those who filed the charges**

- These same **Trustees then coerced the membership to vote to absolve them of all ethics charges**, bypassed the entire process to clear themselves without a hearing on the charges as required. The ASD Bylaws require that the Ethics Committee hear the charges and make recommendations to the uncharged board members who then decide what to do about the charges. During their discussion, the members requested that they see the charges and the Trustees refused, but demanded that they be absolved,

threatening to walk away immediately and leave the headquarters, bank accounts, real estate, employees, etc.).

- The **charged Board members then tried to get the membership to vote to take away all the complainants' memberships (six of which are Life Memberships).** The Board asked the membership to terminate the memberships of all members who filed the ethics charges against them. After Ms. Two Owls raised objections, a vote was not taken but Lee Ann Potter later indicated that they were going to go after those members who whistle blew anyways. My whistle blowing was likely a cause of the Board terminating my Lifetime Membership. I hate to see this happen to the complainants who signed the ethics charges sent to Tick including 6 Lifetime Memberships which cost over a thousand dollars each.

I have given your contact information to two former Trustees who attended the annual meeting and objected to much that went on: Susan McNeill Spuhler, (Life Member), and Adhi Two Owls, former President who resigned when these charged Trustees wanted to remove Steven Herbert from his longtime volunteer work for Water for Humanity. I encouraged them each to contact you thus you may also hear from them in the near future.

We appreciate your efforts in looking into the actions of the charged ASD Trustees who seem to be increasingly threatening memberships and violating laws and bylaws. Thank you again.

Sincerely,

Amy Loomis

P.S. I want to retract my accusation mentioned in the previous correspondence that I believed Lee Ann Potter had used the ASD email list to promote her private business. I spoke to Kevin O'Brian, one of the charged Trustees who resigned last year stating on Facebook that "the organization was rotten through and through." He said that he had given my email addresses to Pat Laurino, Lee Ann's previous business partner. Either way, the email list was being used for personal financial gain. I wonder how many of the other Board members do this regularly to find to clients?

Cc: Janis E Fallon, Esq.
Dreama Brower
John Serino

Cornell-Brown, Rowan

From: Idaho Dowsers <idahodowsers@gmail.com>
Sent: Saturday, March 19, 2016 10:25 PM
To: Idaho Dowsers
Subject: Fwd: Background Information from my grant writing and grants management volunteer advisory roles to ASD and WFHF

FYI, the fund is still frozen. Amy

Sent from my iPhone

Begin forwarded message:

From: Idaho Dowsers <idahodowsers@gmail.com>
Date: March 19, 2016 at 7:20:47 PM MDT
To: Audit <auditasd@dowsers.org>
Cc: D BOT Marty Lucas <president@dowsers.org>, ASD Kevin O'Brien Treasurer [redacted] Jean McDonald [redacted] BOT Jennifer Anderson <[redacted] W Michelle Hicks Nova Scotia Dowsers <michellechicks@gmail.com>, W Steven Herbert [redacted] W Dan Prater Michigan Dowsers [redacted] W Jose Cueto Florida Dowsers <[redacted] Idaho Dowsers <IdahoDowsers@gmail.com>
Subject: Background Information from my grant writing and grants management volunteer advisory roles to ASD and WFHF

To the Audit Committee,

Marty Lucas has recently asked the WFHF Committee to move the Fund to another non-profit. A group of us are in the process of starting a new nonprofit and will soon propose this organization to the BOT. Marty stipulated that the audit team must first document the assets and the BOT must approve the new nonprofit. The audit will be helpful to the new organization. The following is information that may be pertinent to this internal audit and to further audit other aspects of ASD like headquarters, the convention, bookstore, chapters, conventions, etc.

I have been a life member for many years, helped start a chapter in Montana, and am the Chapter President in Idaho and enjoyed a career as a grant reviewer for private foundations and government organizations, a grant maker and a program director and consultant. For the last three plus years I have been involved with ASD advising on charitable giving and writing grant proposals. I have worked with Andy Bray, Kevin O'Brien, Nathan Platt, Blair Wilson, Lisa LaCoss, Steve Herbert, Sandee Mac, Annette Weis, and other BOT and WFHF volunteers, the ASD Financial Committee including Diane Bull, and Keith Shaffer for Buildings and Grounds. Keith is the only one who refused to work with me, citing that the Executive Committee needed to approve me first even though I told him we could move ahead quickly with a grant proposal for building improvements. I told him that members of the BOT asked for my help at a monthly BOT meeting. I interviewed many individuals and committees to determine the most winning ideas. I developed several ideas as talking points with Adhi, but we both concluded that the 990 for 2015 and related infrastructure needed to be in place before ASD could present grant proposals to foundations. There were several issues in preparing grant applications, many of which hinged on financial matters related to ASD. Other matters included hiring appropriate staff to manage grants and assure accountability with appropriate supervision. Grants are usually overseen by a program manager with adequate skill and experience. Some ASD-BOT were objecting to hiring Steve for that role in WFHF projects so that was one more hurdle to address. As I've already said, I knew from my previous years as a program officer in a private foundation that it was useless to submit grant proposals to foundations until the 990 matters were

corrected, job descriptions clarified and organizational charts were clear and persuasive. I advised Steve Herbert to wait to submit grant proposals to the BOT until these matters were addressed.

Metabolic Studio/Annenberg review. Nathan and Steven Herbert prepared the original proposal to Metabolic Studio before I came on board. Annenberg only funded the headquarters infrastructure to support WFHF. Nathan left before the grant monies came in December and Blair waited until January to deposit the check for $8,400 in the ASD account, not WFHF. Blair informed me such. The Annenberg grant included paying for staff time for Blair, Lisa and Jax. I worked closely with Blair to assure that correct data would be available for the Annenberg grant final report in hopes we could then get a bigger grant. I asked him to work with Lisa. Later Lisa said that he did not involve her. Later Lisa and Kevin prepared the final financial report for Annenberg, the program report was prepared with Lisa, Steve and Jax's input. This is when I became acutely aware of the problems in managing fiduciary responsibilities at headquarters.

Now back to preparation for any grants submitted by ASD. In order to address the 990 I spoke to Kevin in the Fall of 2015 and he referred me to the ASD/CPA, Ingrid Pels, to see what could be done to better document and present more thorough data on the 990. Ingrid told me that she prepared the 2014 990 from a transmission of Quickbooks from Lisa although she had not talked to Lisa. She said she had not talked to anyone at ASD to acquire supplemental information for the annual tax statement. Her last communication had been from Blair. She was not aware that he had left even though Lisa had been acting as the OM for many months. Lisa sent her the QuickBooks file last year as the sole source of data for the annual IRS taxes. No one else supplemented this data and no one asked WFHF to supplement any data. Ingrid was particularly concerned about Chapters (she didn't know about regional conferences) that used the ASD tax ID number. Restricted funds, chapter and regional conference data, state tax forms in states with pertinent gambling laws, etc. potentially needed to be corrected. Ingrid then advised strongly against any type of audit until headquarters had established procedures to accurately document financial data regarding WFHF, the Convention and the Bookstore. She further recommended that QuickBooks be re-configured for a nonprofit corporation in order to document such data. She said her firm could do that or she could recommend a private nonprofit bookkeeper who could do the work and appropriately train Lisa. Lisa has the right QuickBooks software but she is entering data in such a way that the CPA cannot adequately do the 990. She said the reconfiguration and the training would take about 4 or 5 hours. I communicated my conversation with Ingrid to Kevin.

I have no knowledge as to whether this Quickbooks reconfiguration has been corrected. On Marty's recent conference call with WFHF and Kevin, Kevin said it had not yet been corrected. I'm afraid that this is going to impact the IRS report for the 990 and set ASD back another year.

Lee Ann recently asked me about an email comment I had made about the audit being "inappropriate." I would like to clarify this with the audit committee. When WFHF was targeted as the first place to start on the audit without first looking at headquarter's role in handling monies, I did not think that was appropriate since Lisa and Kevin handle all monies documented through Quickbooks, Pay Pal and bank statements. WFHF only reviews this information and ASD CPA prepares annual taxes only from this headquarters information. How could the audit committee understand WFHF data if it didn't review headquarters data first? And how could WFHF recommend changes to the data for the CPA when not included?

Issues related to the PPM. Please note that the WFH PPM refers to the BOT as in charge of dollars, but this could be better clarified. Additionally, the BOT periodically reiterates that they are in charge of WFHF, yet the PPM states that WFHF is a subsidiary with much autonomy described in the PPM job descriptions. ASD has the authority to change this, but has not. They need to establish policy consistent with that oversight position and include written staff job descriptions to support this oversight. Additionally, ASD has no policies for assets held by any trustee or committee, no policies for volunteers to follow related to taxes, e.g. sales tax (casual taxes, state differences, how to conduct and document inventory for raffles, state regulations related to gambling and how this effects auctions and raffles, etc.. In my opinion the BOT needs to revise the bookkeeper and OM job descriptions and clarify the roles of the Treasurer and President in supervising said staff to assure compliance for a Working Board and establish who needs to be bonded. I am concerned that volunteers are blamed when there are no policies to follow. In my opinion, until ASD administration addresses financial policy, no committee will be able to function appropriately to satisfy foundations and/or the CPA.

This information is given in hopes that the BOT can work collaboratively with their volunteers to make positive changes.

Amy Loomis, MSW, CCHt
[redacted]

Sent from my iPhone

On Mar 14, 2016, at 9:24 AM, Lee Ann Potter <[redacted] wrote:

Amy,

I would like to know what part of this is "so inappropriate". Please explain.

We have spoken extensively the past few days regarding the work of the audit committee. I am WELL AWARE that Steve had about 10 years of data on the computers at HQ, and I now have much that on a thumb drive, and the team has begun their analysis.

I really do not know how to interpret this correspondence; I had indicated in my talks with you that the audit committee has taken an up front and open approach to this work, yet some of the comments in this correspondence would seem to indicate that WFHF, while being aware of our questions, is choosing to ignore them and withhold information.

For instance, there is a copy of a letter that was written to the ASD lawyer by WFHF refuting statement that the lawyer had apparently made, but there is no copy of that letter that I can find on the computer at HQ. And when I asked the question, I did get an incredibly flippant answer from Michelle.

In the 3 days that this audit has been going on, I have lost 2 team members, and I have been the target of 2 very personal attacks. I now I see your comment that "this seems so inappropriate".

I have not yet asked for any grant proposals, but I will be, in order to look at the financial aspects of them, to ensure that they are accurate, enough to get the job done, and to determine if there is any kind of methodology used to estimate these technical projects.

I am no longer willing to sit idly by and put up with the personal attacks. I will engage. If there are too many, I will resign from the audit committee, and it will very likely fold. If that happens, I suspect that the BOT will freeze the WFHF funds. I have been very open with you regarding my goals, tasking from the BOT, and my approach. I am beginning to wonder if that is a decision I should regret.

I await your response.

Lee Ann Potter

Cornell-Brown, Rowan

From: Idaho Dowsers <idahodowsers@gmail.com>
Sent: Friday, January 27, 2017 1:55 PM
To: Powers, Michael
Cc: Jean McDonald; Jax Willey; Steven Herbert; Dreama L Brower; Idaho Dowsers
Subject: Fwd: [Scan] 2017-01-23 16:47 page #1
Attachments: Audit AttorneyReview.tiff; 2016 06-16 ASD Audit Report presented at Members Mtg.pdf

To Michael Powers
802-828-0096

I am heartened by my conversation with you this morning and am sending you a copy of the letter I recently received from Marty Lucas, President, ASD. I am copying this to the others who also received the same letter:
Steven Herbert - Life Member
Jean McDonald - Annual Membership
Dreama Brower - Annual Membership expired December 31, 2016
Amelia Loomis - Life Member

I am also copying Jax Willey as she has spoken with you. Jax has a recent posted on Facebook regarding harassment with others claiming similar problems. I suggested that Jax send you a copy of this posting. Jean plans to follow up with you regarding her first hand information on the harassment and slander of Jax.

My thought is that we should write one more letter for the record to Marty Lucas to protest the letter and deny its validity (lack of due process, never notified of their hearing, not knowing the charges, etc.). It is unclear what they are accusing us of and we wrote them to ask for clarification and they never responded in any venue.

Secondly, we probably need to comment on the "audit" to the Attorney General— as we believe it to be filled with lies and erroneous conclusions. Please note the attorney's comments at the beginning of the audit from Jennifer Black. I have copied her remarks that are at the beginning of the audit and then enclosed the audit authored by "Ms. Potter". If you do not have the audit I can send you a copy.

All emails are above.

Thank you for your attention to this matter.

Amelia Loomis
[redacted]

Begin forwarded message:

The American Society of Dowsers
PO Box 24, Danville, Vermont 05828 (802)684-3417 Fax: (802)68
www.dowsers.org asd@dowsers.org

January 13, 2017

Amelia Loomis
[redacted]

Dear Ms. Loomis,

On August 4, 2016, the President of ASD, Martin Lucas, p
violations as set forth in an internal audit conducted by the
granted a period of time to respond to those charges with e
have failed to provide the requisite evidence in the timefra
was obliged to evaluate the charges and evidence containe
you violated the ASD Code of Ethics set forth in Chapter X
As a result, the Board of Directors voted in November 201
pursuant to Chapter XV, Section 2(c)(4) of the ASD by-lav

ATTORNEY REVIEW

Dear Annette and Ms. Potter,

You have asked us to review your audit report before you have it published for the membership at the annual meeting. I have done so, and although it is evident that a great deal of hard work went into the report, unfortunately, I am not convinced that it will accomplish your goals to provide clarity and accountability to your members. I am also concerned, based upon your report, that your status as a 501(c)(3) organization and as a Vermont non-profit is in jeopardy due to poor record keeping and a lack of accountability. It is imperative that you have an independent auditor conduct a thorough audit of the overall organization including WFHF to determine what corrective measures need to be taken to maintain your status and to move forward with procedures for accountability and proper record keeping in place. Having an independent auditor will also mitigate members' claims of bias by certain members and trustees. I know you indicated in the report that hiring an outside CPA is cost prohibitive, but it will be well worth the expense and may in fact reduce attorneys' fees in the future. We would recommend either Corrette & Associates at http://www.corrette.com/ or A.M. Peisch at http://www.ampeisch.com/

Please let us know if we can be of further assistance.

Best regards,

Jen

Jennifer B. Black, Esquire (licensed in Vermont and Massachusetts) Bucknam & Black, P.C. 1097 Main Street
PO Box 310 St. Johnsbury, VT 05819

American Society of Dowsers
2016 Audit, Final Report
EXECUTIVE SUMMARY

This report presents the findings of the 2016 American Society of Dowsers (ASD) Audit Committee. Records within ASD indicate that the last audit was performed in 2007. Although the audit will include all of ASD, the committee was asked to first look into the affairs of the ASD Water for Humanity Fund (WFHF); this specific request was given in order that the committee can evaluate statements made by the WFHF committee Chair, Mr. Dan Prater, upon his resignation as Chair. Mr. Prater made a number of statements in his resignation that concerned issues within WFHF that the Board of Trustees (BOT) believed warranted investigation. The priority will also allow the WFHF funds that have been frozen by the BOT to be released so that the committee can again move forward.

The audit team had no pre-conceived ideas about what we would find when the audit began; we strove to keep an open mind about what we would find. We do acknowledge the good that WFHF and ASD have done in the past; WFHF in particular has had a history of bringing water to the needy throughout the world. While this is very significant, it is somewhat tempered by their unaccountability and their flawed outlook on their role in the organization. Our audit was conducted in a professional and un-biased manner; the appendixes contain sufficient detail to justify the findings.

The audit team did not find evidence of financial wrongdoing; funds seem to be accounted for, except as noted in this report. Many management irregularities exist, both within WFHF and ASD; however, ASD leadership is now in a position to begin addressing problems as they are recognized. We also found evidence of extensive ethics concerns within the WFHF Committee and program; these include contractor favoritism, individuals exceeding the limits of their authority, soliciting for funds specifically for travel and salary (from multiple sources outside of ASD), and incidents the could adversely impact ASD's 501(c)3 status. In the lifetime of the organization, WFHF indicates that they have raised a total of $348,000; that works out to an annual funding amount of $13,920, a very small amount in the aggregate.

For ASD, there has been a multi-year history of ineffective management. Evidence includes failure to operate the organization under even basic business principles, failure to maintain and update the By Laws and PPM to address changes in operations, failure to abide by the ethics section of the By Laws (specifically to follow through on ethics charges that have been filed), failure to provide accountability for both the WFHF Committee and the 2015 Nominating Committee, failure to conduct business in an open and transparent manner, failure to provide timely engagement to active questions on social media (e.g., Facebook). In addition, ASD's records are in a state of disorder; information is generally not filed in any order, nor are they indexed. This is complicated by the fact that ASD does not have many hard copy files from WFHF, as they have been retained in the residence of the WFHF Secretary for years. For a time, "passion" has been confused for competent management, highlighting the importance of minimum basic experience requirements for people on the Board of Trustees as well as committees.

Recommendations are included for many of the findings; although many of the management and procedural inadequacies appear significant, effective management controls can be put in place to resolve the issues, prioritize the work, and acquire a competent volunteers with requisite experience to assist in the work.

This audit contains significant appendixes to act as documentation of the issues, and to provide examples of where work may need to be focused.

ATTORNEY REVIEW

Dear Annette and Ms. Potter,

You have asked us to review your audit report before you have it published for the membership at the annual meeting. I have done so, and although it is evident that a great deal of hard work went into the report, unfortunately, I am not convinced that it will accomplish your goals to provide clarity and accountability to your members. I am also concerned, based upon your report, that your status as a 501(c)(3) organization and as a Vermont non-profit is in jeopardy due to poor record keeping and a lack of accountability. It is imperative that you have an independent auditor conduct a thorough audit of the overall organization including WFHF to determine what corrective measures need to be taken to maintain your status and to move forward with procedures for accountability and proper record keeping in place. Having an independent auditor will also mitigate members' claims of bias by certain members and trustees. I know you indicated in the report that hiring an outside CPA is cost prohibitive, but it will be well worth the expense and may in fact reduce attorneys' fees in the future. We would recommend either Corrette & Associates at http://www.corrette.com/ or A.M. Peisch at http://www.ampeisch.com/

Please let us know if we can be of further assistance.

Best regards,

Jen

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The WFHF Committee was unable to fulfill its fiduciary responsibilities due to the immobility and futile decisions made by the Board of Trustees.

This comment provides no additional information regarding the concerns. The "immobility" of the Board of Trustees did not occur; through many actions intended to correct problems both within ASD and the WFHF Committee, it is apparent that the WFHF Committee Chair perceived immobility. "Futile" is also not characterized; the WFHF Chair may have perceived futility because of repeated attempts by the ASD Board of Trustees to exercise their authority and try to find some level of accountability with the WFHF activities. Inability to fulfill its fiduciary responsibilities will be addressed later. ***Our finding is that this statement lacks proper evaluation criteria, and appears to be a perception on the part of the WFHF Committee, possibly in part due to their inability to provide clear and concise information in response to inquiries from the Board of Trustees.***

The lockout of Steve Herbert from ASD Headquarters

The WFHF Committee claims that the WFHF Secretary, Steve Herbert, was locked out of ASD Headquarters (HQ), and therefore unable to perform his WFHF functions. This statement is only partially true, but it also fails to mention the rationale behind it.

The WFHF Committee filed a grievance, signed by their treasurer (Michelle Hicks); their complaint is at appendix C. Briefly, the complaint stems from a donation made to the WFHF prior to the 2015 ASD National Convention; WFHF received a number of crystals as a donation, some to be sold at a silent auction. The ASD Trustees were never made aware of this donation; in December 2015, HQ staff was presented a $600 check as proceeds of the silent auction. As many of the trustees did not see crystals in a silent auction during convention, they began making inquiries to determine what was happening. As a part of this inquiry, a number of trustees made contact with the original donor to determine the nature of the donation; the WFHF treasurer was also subject to multiple queries in order to determine specifics regarding accountability, inventory, and valuation of this donation. The WFHF Committee felt that this was a violation of privacy laws of the donor and harassment of the Secretary and Treasurer, Steve Herbert and Michelle Hicks respectively. The targets of the grievance were Annette Weis, an ASD Trustee and Secretary, and Lisa Lacoss, the acting ASD Operations Manager (OM). Since the OM works at headquarters, the Board of Trustees determined that a separation of Mr. Herbert and Ms. Lacoss was required in order to eliminate the possibility of physical contact and other concerns. Despite the WFHF statement, Mr. Herbert was not "locked out" of HQ; ASD HQ had an additional volunteer working part time at HQ, and Mr. Herbert was told that he was allowed to be at HQ while that volunteer was there, and was instructed to have no contact with Ms. Lacoss. ***Our finding is that this statement is not factual.***

The removal of any and all Water for Humanity Fund nomenclature at convention to commemorate the Fund's 25th Anniversary

Convention planning has been occurring since late summer of 2015; The Audit Committee Chair has been involved with convention planning since early January of 2016. It has been clear from early in convention planning that a 25th anniversary party for WFHF will occur, and has been a focus point for the Convention Chair. At no point have there been any discussions when the involvement of the WFHF has not been contemplated. ***Our finding is that this statement is not factual.***

Purposeful muzzling of members during public meetings

Although the statement provides no context for this statement, nor is there an indication as to the number of times this occurred, there is one incident where this is known to have occurred. During a monthly meeting of the Board of Trustees, a discussion began to occur regarding information involving WFHF, a conversation that was intended for a later closed session because it involved personnel actions. At one point during the discussion, Jean McDonald, an ASD Trustee, began reading from an apparent prepared document, and began criticizing an ASD member for posting "the Marty Memo" (appendix B) on ASD's social media. Marty Lucas, at that time the ASD Vice President, immediately took the call into executive session and terminated the call for people who were not on the Board of Trustees. An open board meeting was an inappropriate venue for the discussion that Ms. McDonald intended to have, due in large part to her chastising ASD members. There was no "muzzling" of any member; in other meetings and in social media, there have been many discussions involving the WFHF activities and concerns, where the venue for the discussion was appropriate for that discussion. ***Our finding is that this statement is not factual.***

Secretive Trustee meetings related to Policy and Procedures Manual and By-Law changes
The ASD Board of Trustees does not have "Secretive" meetings; they do periodically have closed meetings to discuss personnel and staffing activities and issues, in order to protect the privacy of the employees and staff. The Board of Trustees will also convene in closed session, serving in the capacity of the Ethics Committee; the Ethics Committee meets in closed session in order to protect the privacy rights of those involved in the ethics complaint.
The ASD Board of Trustees has established committees in order to rewrite all or portions of the By Laws and Policy and Procedures Manual (PPM) to bring them current. In each case, announcements were made regarding the committee meetings, and seeking members to participate. Nobody from the WFHF Committee responded to any of these requests. It was later determined that part of the issue may have been caused by a faulty computer belonging to one of the ASD Board Liaisons to the WFHF Committee. However, there is no record that any WFHF Committee member making an inquiry regarding any meeting of the By Laws or PPM Committee; in addition, it would be counterproductive to exclude any ASD member from this activity, since the diversity of opinions and experience provide for a much more robust document. ***Our finding is that this statement is false, there have been no "secretive Trustee meetings" related to the PPM and By Laws changes.***

Trustee requests to apply a percentage of your WFHF donation to the ASD general fund
After making inquiries to both of the ASD Secretaries, we can find no reference where any ASD Trustee made any request such as that stated.
In order for the Trustees to formally make this kind of request, it would have to be voted on by the Board of Trustees; there is however, no record of this even being discussed. One of the Secretaries has a vague recollection of a passive comment from a Board of Trustees member that WFHF should provide some level of remuneration for the service that ASD provides. From a business perspective, this is done as a routine business matter for many companies; subordinate units do pay "overhead" for the services that they provide, and the "overhead" fees can be anywhere from 8% to 15% or more, depending on the services provided, the number of people involved, and the complexity of the tasks. In the case of the WFHF, an "overhead" may well be warranted, if it is considered that they reimburse HQ for postage and supplies. WFHF donations, in addition to checks, include donations via credit card, PayPal, and other online money transfer companies. Through a review of the records of the donations to WFHF for the past 6 years, there are MANY instances where WFHF did not reimburse ASD for credit card or PayPal fees. Credit card fees do depend on the type of card used and the benefits the card provides to the cardholder, and they can be as high as 10%. Because there is no tracking information available for each credit card transaction, it was not possible to identify the costs for the transactions; in many cases, PayPal may have the same concerns, since PayPal does allow transactions to occur using a credit card. The PayPal receipts available do not always provide enough of an indication of the total fees assessed.
Other overhead work includes handling donations as they come in (entering them into the financial records, taking the checks to the bank), paying bills related to WFHF, and answering inquiries from WFHF committee members. The Audit Committee does not have enough resolution of assessed fees and work done in support of WFHF in order to recommend a proper assessment. However, a standard overhead rate of 8% to 12% may be appropriate, considering the overhead required on the part of the ASD Board of Trustees. ***Our findings regarding this statement of Mr. Prater is that it is false; however, an overhead fee assessed to WFHF may be appropriate due to the reasons cited.***

The forced resignation of President Adhi Two Owls as well as Trustees Richard Benishai, Rebecca Gurland, and Janet Windsor
The WFHF Committee has provided no information regarding their stated belief behind these resignations. However, based on an examination of the correspondence surrounding these resignations, the following information is available:
Rebecca Gurland has not resigned as a Trustee of ASD.
President Adhi Two Owls states in her resignation: "I feel it is not possible for me to function as president and carry out my duties for many reasons, some of them personal, professional and because of the unfolding events which have occurred between the BOT and WFHF." She provides no indication that her resignation was forced.
Trustee Richard Benishai states in his resignation:
Adhi shalom,
I am quitting the job of trustee.
Richard Benishai

Trustee Janet Windsor states in her resignation:
"Hello Everyone,
I'm resigning from the Board of Trustees for the American Society of Dowsers. Opportunities have arrived and I will no longer be available to serve as a Trustee.
Thank you for all who voted for me."

In none of the resignations are there anything indicating a "forced" resignation; in one resignation, there is an indication that the continued conflict between the Board of Trustees and WFHF was a contributing factor. ***Our finding is that the statement in Mr. Prater's resignation is inaccurate, and there is no supporting information that would provide any indication regarding how this conclusion was reached.***

Placing the WFHF in escrow indefinitely due to the immobility and futile decisions made by the Board of Trustees
From an email from the ASD President:
"Recently the Water for Humanity Fund Chairman resigned. In his resignation he accused the committee of being "unable to fulfill its fiduciary responsibilities". In lieu of these serious charges, all Water for Humanity Funds have been frozen, until we can determine whether there have been improprieties or not. I have asked the audit committee to prioritize their work in order to clear the reputation of the committee so their work can resume. Rest assured, should the audit reveal that the former chairman's allegations are true, we will take the necessary remedial actions. Likewise, should they prove false.

The ASD Board of Trustees currently has NO evidence that there are fiduciary issues concerning how the committee handles funds. However, when the chairman of a committee makes allegations such as these we must take them at face value and investigate."
Our finding is that the Board of Trustees froze the funds of the WFHF specifically because of the statements made by the WFHF Chair in his resignation, and NOT "due to the immobility and futile decisions made by the Board of Trustees".

The trustees have also made false written and orally libelous statements in an attempt to discredit Steve and now more recently our (WFHF) committee
This relates directly to the letter at appendix B. This letter was written in response to an acute lack of information available regarding the removal of Steve Herbert as Secretary of the WFHF Committee. It was required because of a failure in communications between the leadership of ASD and the WFHF Committee. The letter names only two people, Steve Herbert and Dan Prater; it provides a high level rationale for the removal of Mr. Herbert, which includes a 2 year investigation and a vote of the ASD Executive Committee, in line with the processing of an ethics complaint and investigation. Mr. Prater is mentioned because of his decision to terminate his chapter's affiliation with ASD. As is customary with ethics investigations, little detail was provided in the letter, nor was detail provided to the WFHF committee. The ASD legal council prior to its release also reviewed this letter.
Despite providing their interpretations of the statements in the letter as "false…and orally libelous statements in an attempt to discredit Steve and…the WFHF Committee", the statements were of fact, and based largely on their investigation over the preceding two years. This audit has been able to confirm many of the statements in the letter, which will be detailed in our further findings. The statements were not false; libel requires false statements, so the statements in the letter at appendix B were not libelous. ***Our finding is that there is no evidence of either false or libelous statements being made against either Steve or the WFHF Committee by any ASD Trustees.***

The Audit Committee has performed an extensive review of the available records regarding the management and operations of the WFHF Committee and its operations. The findings of that review follow.

1) ***We have found no obvious indication of a theft of funds.*** It is worth noting that records do appear to be unaccounted for; missing records include hard copies of receipts sent to donors (hard copy files are required by the IRS), incomplete copies of donations, lack of detail regarding fees paid for credit card transactions, and lack of supporting documentation regarding WFHF Committee travel and payroll details. What records exist are generally in no particular order, are in folders that are largely unorganized (soft copy) or generally by month or quarter (hard copy), and have no further identifying information; this has resulted in the audit taking an immense amount of time to sort through the records in order to determine what is there before it can actually begin. Bank records, in the form of monthly statements, are generally readily available, for both ASD and WFHF accounts. In

our work, we examined deposits and debits from the WFHF checking account, back to approximately February of 2011, the last date for which soft or hard copy records could be found readily. Other concerns regarding unaccounted for documents will be detailed later.

2) ***WFHF seems to want to operate under a different set of rules than ASD does.*** From the ASD By Laws, Chapter X, Section 3(a): Any committee created is not an entity unto itself. This section of the By Laws indicates that the WFHF Committee should be operating under the By Laws and PPM of ASD. From the By Laws, Chapter VIII, Section 4: "Until otherwise voted by this Society, no Official thereof shall receive any compensation for services rendered to the society." From The Policy and Procedures Manual (PPM), General Employee Policy, item 1: The President of ASD, as of course, acting for the Trustees and the ASD Membership, has primary jurisdiction over all ASD's Headquarters Staff, both paid and unpaid; ASD PPM section regarding "Conflict of Interest; ASD By Laws, Chapter V: The location of the principal or Headquarters Office of this Society shall be the Town of Danville, County of Caledonia, in the State of Vermont; ASD PPM section regarding "Document Destruction and Retention".

The WFHF, an established committee under ASD, has prepared its own PPM, as well as an MOU between WFHF and ASD; there is no evidence that either document was presented to the ASD BOT for approval. The PPM identifies a procedural flow of documents and information for the committee; the MOU defines the relationship between the WFHF committee and ASD. Although the WFHF PPM was written in March of 2016, there is no indication that any portion of it has been implemented. The MOU (see appendix E), prepared in June of 2015, identifies a number of roles of ASD that are entirely subordinate to WFHF, many in violation of the existing ASD By Laws and PPM. It is clear from these documents, as well a history of other documents and activities on the part of the WFHF Committee that they see themselves as an autonomous organization that at best has minimal accountability to the ASD BOT.

While ASD has a formal business address in Danville, VT, the WFHF Secretary has routinely communicated to others that they should communicate with him through his personal address, and personal email address (see appendix F); this presented a problem during the period of the audit because it was found that WFHF donation checks were being sent to the WFHF Secretary at his personal address. In addition, extensive communication has occurred between WFHF Grant seekers and the WFHF Secretary, none of which is available to anybody in ASD (specifically ASD HQ staff or ASD BOT members). Many communications involving receipts for tax-deductible donations are unaccounted for as well. Despite many requests on the part of ASD BOT members to provide the information, the WFHF Secretary has failed to comply, as is required in the ASD PPM. The WFHF Secretary has furnished many documents in "soft copy" computer files, in Microsoft Word format, without signatures, so there is no way to know if the files are the actual files that were sent out. This activity adds to the lack of accountability of the WFHF Committee, but it is also a violation of the document retention requirements of the PPM, and Federal Laws. There are other documents that the Audit Committee were unable to locate: Correspondence from the IRS regarding the IRS Audit that was done on WFHF; Correspondence from an Arizona Attorney regarding legal issues involving a WFHF grant to Hopi Indians; Correspondence surrounding the 2015 donation of Healing Crystals valued at several thousand dollars. All of this requires permanent retention at ASD HQ. The Audit team is also aware that WFHF has records stored on Drop box accounts accessible only to them; the Audit team asked for a number of documents from WFHF Committee members, and were given the absolute bare minimum to answer our questions. We did put a number of requests for information that would support the work of the team, but nobody on the WFHF Committee has come forward with any additional information. The Audit team was able to obtain emails between WFHF Committee members and supporters that indicated an acute lack of professionalism and integrity in their dealings with the Audit team with respect to providing data for our efforts. See appendix D for the emails.

The WFHF Secretary has for years sent out tax-deductible receipts for donations to WFHF, despite no evidence of any authority to do so (WFHF is not a 501(c)3 charity, the WFHF secretary is not an officer of ASD, the WFHF Secretary is not a current employee of ASD, nor could we find any kind of appointment authority). Unfortunately, many receipts were provided to people when either services or goods were exchanged for at least a portion of the funds received. This has also presented another issue; there are records involving at least 4 different dowsers who, in lieu of accepting payment for their dowsing efforts, instructed their clients to write a check to WFHF. In each case, the clients received a tax deduction letter from WFHF; however, in each case there is a written statement on the receipt indicating the name of the dowser, and a statement indicating that the payment was in lieu of payment to the dowser. Apart from not being in compliance with IRS tax deductible

contributions, it puts at legal risk ASD, the Dowsers involved (all of them, not just the single Dowser), and anybody that these receipts were written for; should anybody in this chain be audited for any reason, a definitive paper trail exists implicating all involved in various failures of the tax codes. Appendix G provides an example of the statements used.

There are positive indications of the existence of a conflict of interest, in violation of the ASD By Laws and PPM. This particular issue involved the use of a Littleton NH graphics and printing company, owned by the sister of the WFHF Secretary, by the WFHF Secretary, for years; there is no indication that any efforts were made to obtain additional quotes for the work. There are indications that minimal quantities were bought, just under a price break point, and some time later additional products were bought. To their credit, the WFHF Committee acknowledged this activity in their October 2015 monthly meeting, and did take some rudimentary actions to stop the conflict of interest. Appendix H is a copy of the WFHF October 2015 meeting minutes.

Under this item, there is one additional example. The By Laws and PPM only make allowances for the ASD President and Trustees to be reimbursed for travel expenses, and no allowances are made for payment for time (since it a stated volunteer run organization). However, the WFHF Secretary routinely solicits donations for both travel expenses and salary. The Audit team was able to identify at least 3 separate occasions where the WFHF Secretary has solicited funds from an individual, specifically for salary; one instance included a grant application that included approximately $2400 for salary to fulfill the requirements of the grant. He has also actively solicited to establish a position within ASD, for himself, with a salary of $30,000, to conduct WFHF activities. He has been an "employee" of ASD on 3 occasions; the first two he was erroneously classified as an "independent contractor", and the third he was an employee, paid for by grant funding. Vermont has been cracking down on the erroneous classification of employees, presenting a problem for ASD. There are records for travel reimbursement as well, for trips Overseas (Central America, India, and Africa), for trips within the United States, and for "local" travel in support of a NOFA Conference where ASD had a presence. There are no records of receipts, no indication of an effort to compare costs for flights, lodging and meals; there are payments for a "stipend" in addition to reimbursement of expenses, as well as reimbursement for personal items, such as sunglasses and toiletries. Appendix I contains examples of the travel claim information.

3) ***The WFHF Secretary had been reimbursed for postage and printer supplies, used for his personal printer.*** It is apparent that many documents were printed regarding ASD business, there is no way to assess any other possible personal uses for the printer. Although the printer supplies, including ink and paper, are no longer reimbursed, the postage is. It is worth noting that when he was buying printer ink locally, coupons were generally used, saving a considerable amount. Direction was given by the Board of Trustees to no longer reimburse for printer supplies. The per cost page for printing documents is less for the machines located at ASD HQ because they are intended for bulk operations at a lower cost. As for postage, ASD generally sends out bulk (>200 pieces) correspondence at a special rate for non-profits, which is considerable less than first class postage ($.47 for first class vs. $.19 for the non profit rate). Although this would not provide a cost savings for routine letters, it would for bulk mailings (such as annual reports), yet there is no indication that this has ever been taken advantage of.

4) ***WFHF, on their own, desires to establish their own criteria for who can be on their committee.*** They have in the past outright rejected a WFHF Chair that was duly appointed by the ASD President (in accordance with the ASD By Laws); they have written documents that require that members have experience dealing with people from third world countries, and they invite only some to apply for their committee. There is no indication that any of this has been presented to the ASD BOT for a review or approval, nor is there any indication that their process could stand up to any level of scrutiny. The criteria appear to be highly selective, but there is no indication that subject matter expertise is required for any position. Appendix E has details of their proposed personnel requirements.

5) ***WFHF has effectively isolated itself from the broader membership of ASD.*** WFHF sends out documents a number of times per year; it appears that hard copy documents are mailed to approximately 200 people (based largely on the number of documents printed). There is very little information available online, despite spending a portion of a grant to do exactly that. The WFHF website will allow people to sign up to receive their E-Newsletter, but it is unknown how many are on that list, or who they may be. In general, nothing is sent out to the broader ASD membership regarding WFHF or any of their activities. It appears that most of their mailing list consists of previous donors. They

do not advertise, so there is little opportunity to raise additional funding. It is important to also realize that ASD has, at best, incomplete records of the people on the WFHF mailing lists.

6) ***WFHF has expended funds for purposes other than its charters purpose.*** From the Waterforhumanityfund.org website: "In 1991, the Water for Humanity (WFH) Fund was established within the American Society of Dowsers to provide funding for water resources development, purification, protection and conservation worldwide in areas of critical need. The goal in each case is to increase water resources in terms of quality, quantity and accessibility. Its second purpose is to demonstrate the practical and humanitarian application of dowsing and to establish credibility for the art." In 2012, WFHF provided funding to establish the All Indian Society of Dowsers, through the Tamil Nadu Tribal Development Society; in 2015, WFHF provided funding for the second All India Dowsers Society Annual Convention. Support for this activity funding should have required approval of the ASD BOT, since this activity is not in agreement with the WFHF stated purpose. There is no indication that any discussion occurred with the ASD BOT regarding this matter. Supporting documents are at appendix J.

7) ***Since early 2011, WFHF has had an Agent in India.*** There is no indication that the ASD BOT was aware of this, nor were we able to find any other mention of this. It is unknown why, if this were factual, the WFHF would not choose to make this a highlight of their work in India. The name of the agent is Mr. C. Paul Rasan. His biography:

"I was born December 29th, 1953, in Maruthangudi (Pillayarpatti) village near Maduri in Sivagangai District, state of Tamil Nadu, southern India. Though I grew up in a poor agricultural family, I received my primary education in Pillayarpatti and Siravayal and passed matriculation at Madurai (Kamara) University. Later, I attended college at St. Joseph's College and did my post-graduate work at Annamalai University. I was the first person of my village to graduate from college.

My career in social service began as a Youth Club Leader and advanced to Project Coordinator of a local NGO. After twelve years of such experience, I founded Foundation for Rural Development (FORD Trust) in my village to help the rural poor and needy people in any part of India. Over my career, I have received a multitude of specialized trainings from state and national governmental and non-governmental organizations in, for example, Participatory Rural Appraisal, Human Rights and Child Empowerment, Micro-enterprise Development, Appropriate Technology and Organic Farming. I have presented several research papers at Bharadhidasan University on the environment, child care and the problems of aged persons. To my credit are numerous project implemented or in progress, including vocational skills development for women and girls, establishment of Self Help Groups (SHGs), revolving funds management, domestic violence prevention and water resources development. The work of FORD Trust has been supported by various international organizations in Italy, Netherlands and the UK, in addition to the ASD Water for Humanity Fund in the USA.

I was married in the year 1980 and have two children. My son is a practicing lawyer in Madurai Bench of Madras (Chennai) High Court. My recently married daughter is a nursing assistant. My wife is a house mentor."

American Society of Dowsers Audit Report

This section of the audit report covers the Audit Committee's findings pertinent to ASD as a whole.

Our findings:

1) ASD has at least three outstanding ethics complaints outstanding that no action has been taken on. The ASD By Laws, Chapter XV, Section 2(b) states that:

"If a party to the grievance chooses not to participate at any level of the process, the process will go forward without their participation."

Two of the ethics complaints were against an individual who chose to resign rather than address the merits of the complaints; the third ethics complaint was against the 2015 Nominating Committee and its "advisor". In each case, the Board of Trustees and/or the Executive Committee (acting as the Ethics Committee) has failed to act on the complaints, which is not in accordance with the By Laws stated above. It is also worth noting that members having outstanding or unresolved ethics charges are not deemed a "member in good standing" in accordance with Chapter 3, Section 1 of the By Laws; the failure of the BOT to address the charges only extends the length of time the member is "not in good standing".

RECOMMENDATION: Investigate the outstanding ethics complaints and take appropriate action.

2) There has, for some time, been a "thought" among many that ASD is not a business, and should not be administered as such. Previous leadership has seen ASD as a "Social" organization requiring little financial or management accountability, nor an obligation to abide by the organization's By Laws or PPM. There are others who believe that management decisions made from a "business" perspective require strict adherence to the ethics portion of the By Laws.

RECOMMENDATION: Although there are references to the "business of the Society" in the By Laws, a change to the By Laws to emphasize that the Society should be run in accordance with standard business practices should be considered; elements of the business elements should be further delineated in the Policy and Procedures Manual (PPM).

3) The records of the Society are in a state of disorder, and they appear to have been this way for many years. It is difficult to locate and identify relevant information (particularly WFH information), and it appears that much information may not be permanently archived in accordance with the PPM. Although some information is archived off site electronically (through a Drop Box account), there is information that is not, likely due to a lack of adequate resources to scan it in to an electronic format. It is worth noting that final documents sent out under formal signature are included in this, and that documents in a Microsoft Word format may well not meet this requirement (a formal document has a signature, while a draft in Word format may have changed before being signed). Much information regarding WFHF activities also appears to be unaccounted for, and seems to have been stored off site, is not archived, and is not stored in accordance with the Document Destruction and Retention requirements of the PPM.
Another significant problem concerns the use of email. Many people in leadership positions within the organization (including committee members, such as WFHF) have made extensive use of electronic mail exclusively; a problem arises because ASD does not have access to any of this information, much of which has been a source of record communications within the organization. And even though there has been a recent effort made to address this by establishing personal email accounts under the domain dowsers.org, there are members of the BOT who may not have the requisite technical skills necessary to access these accounts on a regular basis. It is also unknown if the email accounts under dowsers.org can be configured so that emails are unable to be deleted. The problem is particularly acute with WFHF, as they have (as a committee) been largely unresponsive to requests to provide all records, instead providing only limited hardcopies.

RECOMMENDATION: ASD should identify resources that are able to develop and implement a logical means for document storage and retention, in a searchable format, so that documents can be located quickly and efficiently. ASD must also identify a better plan for document storage and retention; ASD HQ is not fireproof, so much of the historical information retained in the building is at significant risk. And although information is retained off site through a Drop Box account, a process should be in place that provides for access to the account by others, should they not be accessible from ASD HQ.

Archiving of email communications is being addressed by directing the use of an account under dowsers.org; one suggestion would be to also include, as a bcc: address, another email account (such as archive@dowsers.org), in order to provide an ability to readily search for emails with a common theme.

4) Chapter II, Section 1 of the By Laws pertains to education in all areas of dowsing, promoting dowsing to a larger audience, the incorporation and use of the principles of science into dowsing, and anything that may foster greater acceptance of dowsing outside of the dowsing community. This requires review, as ASD does not tend to focus on several of the areas included in this section. Although ASD actively teaches water dowsing at convention every year, and has had classes in map dowsing, ASD does little to address any of the other specialty areas involving dowsing. And outside of an occasional article, ASD does not do a good job at all of promoting itself or dowsing to a larger audience. Within ASD, there have been at times rifts between ASD proper and regional ASD groups; while there may have been a common root, ASD has been slow to attempt to heal, and they are slow to address elements of the organization that seem to actively harm the organization and it's members. While the ASD Board has spent a disproportionate amount of time with WFHF (which has apparently been an issue for several of the past Board of Trustees), they have failed to focus on the other elements of Section 1 of Chapter II of the By Laws. Although WFHF could be a great example of the effectiveness of dowsing by funding high profile efforts that could become known by a much larger community, that element of the organization has been horribly mismanaged, they have focused almost exclusively on the development of water resources in third world countries, they have done a very poor job of promoting themselves, and there appears to be no strategic goal that is in line with anything identified in this section of the By Laws. As a result of this, among other things, the lack of cohesion and common beneficial goals has led to a distinct lack of trust within elements (and members) of the organization.

RECOMMENDATION: The ASD Board needs to examine the goals of the organization as outlined in the By Laws, and determine if they are still viable; they need to decide if ASD should have a primary focus on water (as certain members in the Northeast seem to believe), or if "dowsing" has a much greater application, for example, ***the inclusion in the use of a number of healing modalities, or evaluation and working with Earth Energies***, that they should also provide training for and promote. In either case, it may be desirable to appoint a focused team begin to rewrite sections of the document.

5) As part of our inquiry, it was brought to the attention of the Audit Committee members that in the past employees have been ordered to do things that would be considered unethical. This includes writing checks without any supporting documents to justify the expense (including payroll checks and payments for miscellaneous expenses), handing out life memberships to members without meeting the By Law requirement of approval by the membership, making purchases via credit card without sufficient backup or written justification to support the purchase, and covering up the mistakes of others. In most cases, the employee felt that their job was in jeopardy if they either refused or requested further documentation. In short, if leadership at any level is less than trustworthy, they have the means to intimidate or bully an employee to undertake unethical activities in order to save their job. While these actions in the past have come from the Operations Manager or the President of the Society, even the Operations Manager would not be immune from this type of coercion for an ASD Board member or ASD President.

RECOMMENDATION: Although all employees and volunteers report to the President of the Society, the ASD BOT may want to consider implementing a process that would require a two thirds majority vote (of the full Board of Trustees) to terminate or discipline an employee. It may be worth considering that the termination of an employee under these circumstances could invite a lawsuit against ASD for wrongful termination, which could irreparably harm the organization.

6) In the recent past, the ASD Board of Trustees, as well as several of the committees of the Society, have been faced with a lack of significant competence in certain areas needed to carry out the responsibilities of their position. Examples include a total lack of any managerial experience, a total lack of any real project management experience, a lack of knowledge of the operations of computers sufficient to perform the functions of the job they are given or elected to, a complete lack of IT skills necessary for any level of oversight, a lack of any element of business experience, and the appointment of people to a "science" position that have no experience whatsoever with any form of science. Part of this problem is due to an acute lack of suitable volunteers with the expertise that is relevant to the Society, but a larger part is likely due to the lack of understanding of the importance of qualified people in these positions. It has been said that "passion" was enough to run the organization, but "passion" without any sense of business fundamentals can only lead to mismanagement; likewise, dowsing could be said to be enough, but dowsing without knowing any business or leadership fundamentals would likely lead to leaders who do not know the relevant questions to dowse.

RECOMMENDATION: The ASD BOT needs to identify the core experience and knowledge requirements that are needed for certain positions within the organization to fulfill its mission; ASD then needs to identify the core experience levels that would best suit the needs to the Society at large. Examples of core experience include the following:

a) Experience managing a business or office of at least 10 employees;
b) Experience managing a program with a budget of at least $100,000;
c) Experience or working knowledge of IT, computer, or communications systems and networks
d) Financial experience that demonstrates basic financial principles and accountability;
e) Experience in a scientific field of endeavor;
f) Experience working with people from other countries;
g) Logistics experience;
h) Sales experience;
i) Experience running or administering a non-profit;

Although these have been mentioned to the ASD BOT before, they may not have been in a position to properly address this topic. However, faced with the management failures within the organization, it may be time to address the viability and requirement of getting experienced people, rather than utilizing members lacking the specific expertise needed to properly fill a position.

7) There are a number of ASD committees that have demonstrated a lack of accountability. This includes WFHF has taken steps to declare their independence (in violation of the ASD By Laws and PPM), and the 2015 ASD Nominating Committee failing to provide any level of accountability to the Board of Trustees as well.
ASD's WFHF Committee has chosen to restrict access to any of it's work product to only people that they "approve"; they have withheld the bulk of their documents and refused to provide them to ASD HQ, in violation of the ASD By Laws and PPM. They have failed to identify any processes involved in their decision making processes, criteria used to determine who gets funding, who their in country contact are, and all email correspondence to either their benefactors or donors. They have tried to maintain extreme sensitivity to any of their donors, choosing to file groundless complaints against any who contact donors for additional clarification of activities and donations.
In the case of the 2015 Nominating Committee, the committee failed to provide any information about the qualifications of potential nominees, how the information was evaluated, the criteria used for the evaluation, or the final rational used for their decisions; there was a claim of "secrecy" in their processes, but neither the By Laws or the PPM makes any allowance for any form of "secrecy". Based on the final outcome, it would appear that they did engage in discrimination and/or favoritism in their process, which could open the Society to possible liability.
While the Board of Trustees did take actions to begin to address the management and oversight of WFHF, they have not yet taken action to ensure accountability of any subordinate committee, nor taken corrective action to recover the work product of the Nominating Committee. The Board is in the process of taking corrective action in the case of the WFHF Committee.
RECOMMEDATION: "Secrecy" within the organization has been counterproductive for the Society, and has added to the lack of trust between members and the ASD leadership. This has been a factor with the difficulties encountered with the WFHF Committee. The ASD Board of Trustees may want to consider publishing abbreviated minutes from closed sessions that would provide a general discussion of the issues being discussed and addressed. They should also eliminate "secrecy" or the perception of secrecy in any of it's subordinate committees in order to create a more positive environment within the Society, and foster better communications.

8) ASD has a number of pages on Facebook, all with a slightly different theme. Not all appear to be monitored on a regular basis, and when input from a member of the Board of Trustees is sought, the answers can sometimes be slow to come. In addition, the conversations tend towards confrontation – at times between members, and at times with those who try to provide information. There is a definite lack of trust among those online; many believe that some have greater access to information, and that there is too much "secrecy" in the organization.
RECOMMENDATION: The ASD social media presence needs to be monitored closer, preferably by a member of the Board of Trustees who is competent in social media, and who can speak for the Board. ASD should also consolidate the different ASD Facebook pages to minimize the number of pages the member must review and post to in order to communicate. ASD should also consider moderating the Facebook posts, in order to keep them on topic, minimize the potential for confrontation, and provide consistently accurate information to the membership.

9) ASD has in the past had a number of ethics complaints lodged against members, and they have had to administer some form of discipline. However, many of these incidents, while initially properly documented, may not have been archived for easy access. In some cases, extensive research has been required to find all of the information. In addition, because the information generally involved an ethics complaint, the results of the incident and subsequent actions have been kept from the membership.

RECOMMENDATION: ASD should consider creation of a permanent reference file to maintain all disciplinary records in a single location; when new Board of Trustees are elected or appointed, this file should be provided as a basic reading file. It should include the charges, the detailed findings of any investigation, and the action taken.

This does present additional concerns. The "secrecy" involved in this process has been part of the reason for conflict within the organization; members see actions taken, but no additional information is provided, except by the person(s) that the action was taken against. ASD should consider publishing some level of information in order to increase the level of transparency within the process. In addition, ASD may want to consider changing the eligibility for reapplication of membership; in some cases, removal from a position within the organization may still leave an intact membership. However, ASD should consider that some activities might warrant permanent removal from the organization, in order to prevent further actions detrimental to the organization.

APPENDIX A
Dan Prater Resignation

27FEB2016

Board of Trustees and Members of the American Society of Dowsers,

I have been the Water For Humanity Fund® Committee Chairman for the past 9 months and would like to take this opportunity to update our fellow members and donors so you are aware of recent events that have severely impacted my Committees ability to manage your charitable Fund and some of the decisions our Committee have been forced to make in response.

As you may know, the ASD Trustees decided it was in their best interests to fire Steve Herbert effective after the June 2016 convention in Sarasota Springs, New York. Steve has been in a volunteer capacity for nearly 20 years and this was to be the 25th Anniversary of the Water For Humanity Fund®. Steve, having kept the Fund afloat through some rough times became a pillar in which ASD was able to gain footing again. My Committee is thankful and considers itself extremely fortunate to have met, worked closely with, and even been inspired-by Steve's dedication to water resources and a lifelong service to those less fortunate.

Between your member donations and Steve's procurement of grants along with the hard work of past and present committees the Fund has received and dispersed donations that exceed $380,000. The Fund has also had the honor of memorializing many Sky Dowsers over the years with water wells in their name. Some of these Sky Dowsers include: Lynn Monroe, Brett Wentworth, David Pitkin, Robert Conary, Andy Bray, Rene Lincoln and Frank Hoenig. The donations from your Fund have changed the lives of tens of thousands of people all over the world and the membership has a lot to be proud of.

Recently under protest and in the best interests of preserving the Fund, our Committee attempted to change the minds of the Trustees and allow them the opportunity to rescind their decision based on the lack of due process, unjustifiable accusations and the extremely detrimental effect this has on sustaining the Fund in the future.

Our Fund Committee has followed every relevant policy and procedure written by ASD and has never in the past 9 months been contacted by any Trustee with questions related to any wrongdoing, negligence or violations of any kind. Steve has never been given an opportunity to defend himself and there was no due process followed from any document, including the Policy and Procedures Manual, By-Laws, Roberts Rules of Order, or the State of Vermont prior to his forced dismissal. Our Committee has heard the accusations they have levied against Steve and they are a complete Jest and without merit.

To the detriment of both ASD and the Fund they publicly voted not to rescind their decision. The Trustees have also publicly made false written and orally libelous statements in an attempt to discredit Steve and now more recently our Committee. We would like to ensure the membership that these written accusations are very far from the truth and are the sole efforts of a few people's vindictive motives. There has yet to be one single piece of evidentiary support to their libelous statements. If they continue to tell their story long enough people will begin to believe it. We are here to put the rabbit back in the hat. We ask the membership to look deep into the "*Common Denominators*" of the past and present ASD troubles and see who is still in play within the Trustee ranks. These are not coincidental difficulties, these are fundamental commonalities. Sometimes the only vote we have as members of an organization is where we spend our *time* and *money*, so I advise you to spend it wisely.

Other recently non-publicized news includes; the lockout of Steve Herbert from headquarters, the removal of any and all Water For Humanity Fund® nomenclature at convention to commemorate the Fund's 25th Anniversary, purposeful muzzling of members during public meetings, secretive Trustee meetings related to PPM and By-Law changes, Trustee requests to apply a percentage of your WFHF donation directly to the ASD general fund, the forced resignation of President Adhi Two Owls as well as Trustee Richard Benishai, Rebecca Gurland and Janet Windsor, just to name a few newsworthy items withheld from the membership.

More recently having placed the Fund in further jeopardy the BOT discussed dismissing our entire Committee and placing the Fund in escrow indefinitely. At this juncture I now find our Committee unable to fulfill its fiduciary responsibilities due to the immobility and futile decisions made by the Board of Trustees. So it is with deep regret and a heavy heart that I now find it necessary to resign my Committee position as Chairman of the Water For Humanity Fund®, effective immediately.

Sincerely,
Dan Prater

APPENDIX B
Marty Lucas Letter

The recent removal of Steve Herbert as Secretary of the Water for Humanity Fund Committee by the Board of Trustees Executive Committee deserves further explanation. The long standing issues and 2 yr. investigation led to this hard decision in Nov. 2015. Explanation of the facts were not possible during the recent Board of Trustees meeting due to confidentiality issues associated with the decision. The idea was to allow the committee sufficient time for proper transition of the secretarial duties as well as recognize Mr. Herbert for his contributions to the society without publicizing the significant ongoing deficiencies in administration of the committee. Sadly, that well intentioned idea only led to more misunderstanding.

It is the responsibility of the Board of Trustees to protect the reputation and integrity of not only the Society but it's Water for Humanity Fund as well. In addition, the BOT is responsible to make sure that we comply with the wishes of our donors, properly account for their donations and comply with all applicable laws.

The Executive Committee took this action with great reluctance after diligently evaluating the issues and considering the possible and probable ramifications. The President is not only part of the Executive Committee but was tasked to convey the decision to the affected persons along with the reasons why the action was taken. It is now obvious that this communication was not optimal, since the Chairman of WFHF indicated that this action was taken without communicating with either he or the President of the ASD.

Unfortunately that cannot be undone; hence the reason for this letter.

Water for Humanity Fund is a long standing committee of ASD that has done a tremendous amount of good around the world. Steve Herbert has been an integral part of that good work. No one is questioning either his intentions or hard work. Without Steve Herbert, Water for Humanity Fund would not exist in its' current form.

The issue is a long standing pattern of administrative failures, mistakes, oversights, misstatements and lack of attention to detail. These issues expose our entire organization and our donors to legal and ethical issues. While the committee and its current members have worked diligently to make the projects successful the administrative failures have been left to the staff and Board of Trustees to solve.

Tax laws must be adhered to without exception or mistake. Donations must be accounted for properly and in accordance with the wishes of the donor. Official communications must be accurate, especially concerning the percentage of monies used for projects and the amounts spent on staff and overhead.

Repeated attempts to deal with these long standing issues have been met with resistance. The members and leaders of the committee have repeatedly chosen to defend their secretary without questioning, inquiring or seeking clarification.

In their defense, many committee members were lead to believe that successive boards of trustees have had vendettas against the secretary and that the very real administrative deficiencies were nothing more than personality conflicts. That could not be further from the truth.

APPENDIX B (cont.)

Proper administration of a charity can be neither frivolous nor haphazard. Tax regulators and donors do not care how nice the people are that manage the charity. They care that it be done properly and in accordance with standard business practices. Water for Humanity Fund does not currently meet those stringent standards. It cannot continue to be affiliated with ASD unless it does.

The Executive Committee took the action to remove the Secretary of the Water for Humanity Fund; Steve Herbert in order to protect the society, correct the administrative deficiencies and make sure that the charity is operated in a manner consistent with all applicable laws, rules and regulations so it can grow beyond the level it has maintained for the last 10 years.

In apparent frustration Dan Prater, the WFHF Committee Chairman and President of Southeast Michigan Dowsers has reported his chapter has terminated its' affiliation with ASD; effective immediately. While we regret the decision of his chapter to leave, their decision will not change the decision of the Board or reinstate Mr. Herbert.

Even as this letter is being drafted, the President has been tasked with offering the Water for Humanity Committee Chairman three alternative courses for action for the committee. Water for Humanity Fund has done valuable work around the world and it is our hope that it is allowed to continue to do so. However the Executive Board of ASD will not allow administrative mismanagement of WFHF to jeopardize our society or our primary mission of promoting and teaching dowsing.

This has been a challenging year and this decision was one of the most difficult. Leaders are often asked to make difficult decisions where we are not at liberty to divulge all of the details as to why the decisions were made. That is the case here. You will not be given any details that will compromise the privacy of our members our donors or violate the ethics of our organization. That is just the way it is. If that doesn't set well with you, I ask that YOU put yourself forward, instead of criticizing those that did.

On a personal note: I accepted a leadership role in this organization without preconceptions or prejudice concerning any of the longstanding issues or conflicts. I was shocked and dismayed at the level of disorganization and bickering between those that were working to improve the organization and those that sat on the sidelines and complained. The issues the current board are dealing with should have been dealt with when they first became apparent. Ignoring these issues only exacerbates the problems and drives members away. I am sorry that it has come to this. Frankly, I wish I had turned away when I was asked to serve. But having accepted the position, I will continue to do what I can to protect ASD and provide our members with the kind of organization they expect and deserve. Marty Lucas

APPENDIX C

WFHF/Michelle Hicks Grievance

The WFHF is filing a grievance or complaint against two individuals affiliated with the ASD, under Section 2 of the Disciplinary Process in the By-Laws found on pages 13 and 14. Any Member, Trustee or Officer, may be reprimanded, suspended, removed from office or lose their membership by a 2/3 vote of the full BOT if shown to be guilty of misconduct. Examples of misconduct would include: (1) Violating the Code of Ethics. (2) The abuse or misuse of power. (3) Personal activities prejudicial to the best interests of the Society, including placing personal interests ahead of those of the Society. (4) Slanderous remarks against another member affecting their ability to carry out their duties. (5) Any other form of misconduct not listed above.
The WFHF believes that Annette Weis and Lisa Lacoss have acted in ways that are in violation of these policies and are guilty of misconduct. It is the opinion of the WFHF Committee that Steven Herbert is currently the subject of harassment within the organization and defamation and the Committee will no longer allow this to continue.

The American Society of Dowsers, Inc. is a scientific and educational non-profit organization whose mission is "to support, encourage and promote... dowsers in a manner consistent with the highest standards of personal integrity and behavior... to promote and foster communication and fellowship among all persons in any way interested in dowsing."
From December 9 to December 13, various actions were taken that were initiated by Annette and Lisa and were directed at two members of ASD, who are volunteers and also happen to be members of the Water for Humanity Fund. The actions taken by Annette and Lisa are directly in conflict with the mission of the organization and do not promote or foster communication and fellowship among all persons interested in dowsing. As I am one of the organization's members who were targeted, act as the Treasurer of the WFHF and am also on the ASD Finance Committee, I have various perspectives on what has occurred. As well, I was asked by Dan Prater to follow up on the concerns expressed by various members of the WFHF Committee, so I am lodging this complaint as two members of the WFHF were targeted in less than a week.
Background:
The Water for Humanity Fund has funded 206 grants in eighteen countries totaling more than $348,000.00. The Water for Humanity Fund celebrates its 25th anniversary in 2016. The Water for Humanity Fund Committee has two BOT members, picked by the BOT, who attend meetings, vote on anything WFH does and act as liaisons informing the BOT of anything WFH does and providing direction to WFH from the BOT. This ensures that the BOT and its interests are represented at all times and the WFH can't act alone or independent of the organization. These BOT liaisons could be Adhi and Kevin, the ASD organizational heads, the selection of the BOT Liaisons is at the discretion of the BOT. As well, there are policies in place that mitigate ASD's financial risks like the fact that the Water for Humanity Fund Checking Account can only be accessed and managed by Lisa Lacoss and/or Kevin O'Brien, the Water for Humanity Fund Committee has no way to access these funds without their knowledge or consent.

In late October / early November Dan Prater and Adhi had a teleconference to discuss concerns and issues impacting on ASD, the Water for Humanity Fund and its members.

APPENDIX C (cont)

A protocol was established and agreed upon that questions and inquiries from the BOT related to the WFHF were to either come from Adhi or through the WFHF Trustee Liaisons. (Some exceptions to this may apply like required communication between Kevin and Michelle related to finances or communication within members of committees). This was necessary due to individuals acting in a way that is contrary to the mission of the ASD and in violation of the code of ethics, which some may label as harassment or defamation.

I myself have recently been the target of this behavior. December 9, I received an email from Annette Weis with questions about WFHF and its financial statements. I replied to the questions and received an email with further questions, which I replied to, and received the response from Annette Weis: "Thank you, again, for the complete answer. We are on the same page."

These two incidents, were not the first occasion where I had been singled out by Annette, as during the WFHF election teleconference prior to Convention, Annette told our committee that I could not run for Treasurer unless I was bonded or bondable. This made no sense as I do not handle any money (I'm not even in the same country as the money, so there is no financial risk to the organization). This is also a double standard as Kevin and Lisa are not bonded and they handle all the organization's finances. Lisa is even able to write checks valued at hundreds of dollars without a joint signature.

After having spent significant volunteer time December 9, looking into Annette's questions and writing two separate responses, I believed that we were perhaps on the same page. Little did I know that further actions would be initiated by Annette that would show, we obviously were not.

Dan Prater sent messages to Adhi, December 10 in which he expressed his concern and directed her to have Annette channel her financial inquiries through Kevin. He also reminded Adhi, that there had been past emails and conversations about these sorts of issues. Dan also expressed concern in writing to Kevin and Diane.

December 9, Steven Herbert received an email from Lisa Lacoss, asking for more information on a donation after being given a receipt letter and check. Steve explained that though the individual made a bid on the item, the receipt letter he gave her was intended to be used for a business deduction, not as explained above for a tax-deductible straight donation. Since he received no more requests from her for clarification, he assumed she was satisfied with this explanation.

Dan Prater and I were also copied in on the request for information and reply, and were also under the impression that things were fine.

However the culmination of events occurred December 13 which could not be ignored and needed to be acted upon. Behavior initiated by Lisa and Annette, extended far beyond the internal bounds of the organization of ASD and impacted directly on an elderly donor. That these two individuals took it upon themselves to initiate a series of events, acting of their own accord, not involving Kevin, or Adhi or the ASD Finance Committee or Dan Prater or Michelle Hicks or Steven Herbert, and violated the privacy of a donor is incomprehensible, and shows a lack of restraint or ability to control their ongoing interpersonal conflict with Steve.

Dan received a call from Jenni Anderson, Sunday December 13. She had just spent four hours of her personal time on the phone with 85 year old Joanne Van Gelder, the previous WFHF

APPENDIX C (cont.)

Chairman who also happens to be a ***substantial*** donor to the WFHF. She was asked to call her by Annette Weis. Lisa had told Annette about the donation and the donor and Annette
asked Jenni to call the donor. So personal information about the donor had just passed through three individuals.

It has been suggested that what occurred was a bookkeeping clarification. However, Steve sent email clarification to Lisa about what happened, and he had also given her copy of the letter he gave to the donor. Why would it be Annette or Jenni's role to clarify bookkeeping issues, finances or donations? Why were none of the people who actually deal with the ASD finances not consulted? Why would such a convoluted series of events be put into action? I could understand asking Kevin or Diane to call the donor if they really thought something was amiss.
There was no follow up from Lisa with either Dan Prater or Michelle Hicks who both thought everything was fine.
I have read through the financial policies of the ASD PPM and By-Laws a few times and I am still not sure at this time, what wrongdoing has occurred. Currently, I can only speculate that the ASD may be referring to that donation as noncash contribution because the value is more than $500, however they have 125 days to file the form after the disposition of the item. So if that is the issue, it still didn't concern Annette or Jenni and neither of them could fix it. Steve has been holding a silent auction since 2011 and donation items have been received in the past with a value over $500.
When I worked in Revenue and Taxation, when we dealt with enforcement issues we looked at intent.
Did Lisa intend to clarify a bookkeeping issue? If so after Steve's email response, why did she not request further clarification from Steve, Dan, Michelle, Kevin, Diane, Adhi, or the Finance Committee? Going through Annette would not clarify a bookkeeping issue.
Did Annette intend to clarify a bookkeeping issue? If so, why did she not request further clarification from Adhi, Kevin, Diane, the Finance Committee? Going through Jenni would not clarify a bookkeeping issue.
Are we dealing with one isolated incident or a series of events by individuals? Will these events clear up on their own if they are not addressed? This harms ASD as an organization as a whole. Do we think it's going to improve and what will change so that it does?

Did Steve intend to do anything wrong? Did anyone tell him the item had to be registered? Is there anything in the PPM or By-Laws about it? Could Steve be expected to know there was anything special to do with the donation? What would a reasonable person have done or known to do? I can honestly say, I myself, could have very well done the exact same thing. When I took the role as Treasurer for WFHF, I received an email from Lisa stating that she would no longer be forwarding financial information to Steven Herbert, she would only send it to me. So there is no willingness from Lisa to communicate with Steve.
The members of the WFHF Committee have a sincere interest in working with the ASD to deal with any issues that occur. We cannot deal with or fix issues that are not brought to our attention.
The management of people's personal information (like donors) within organizations is a big deal. There is legislation in place in Vermont about Privacy and Data Security.

http://ago.vermont.gov/focus/consumer-info/privacy-and-data-security1.php#CCC
Personal information such as Social Security Numbers, credit and debit card numbers, and bank account information must be kept confidential and secure under Vermont law. This page describes how businesses and state agencies must protect consumers' personal information and notify consumers in the event of a data security breach.
Duty to Notify Vermont Consumers and Attorney General of a Security Breach
Having people who do not handle donations or finances contact a donor about a donation, would indicate to the donor that there is something wrong within ASD and create doubts about the stability
and professionalism of the organization. ASD has a large volume of personal information, including credit card and banking information. This is a very serious matter.
As well there are Federal directives on Protecting Personal Information from the Federal Trade Commission.
https://www.ftc.gov/system/files/documents/plain-language/bus69-protecting-personal-information-guide-business_0.pdf
In marketing or external relations we often encourage people to ask themselves: if this person was your mother how would you want them to be treated? So imagine for a moment if you will, that the donor is your elderly mother. She is 85 years old, confined to a wheelchair, and living in a small apartment after having had to downsize some of her prized possessions like a collection of crystals. She entrusted these crystals to Steven Herbert, with whom she worked as a Water for Humanity Fund Committee Member and as Chairperson of WFHF for two terms. Imagine what it would have been like for that woman to have someone call her randomly to inquire about the crystals she donated and speak to her for four hours. The caller was asked to call her by Annette, who was contacted by Lisa, who didn't even attempt to deal with the issue internally within the organization through proper channels. Instead they thought it reasonable and necessary to choose to disturb an elderly lady. Is that how ASD treats its donors and wants them to be treated? Is that how an organization shows its gratitude to a donor who has chosen to part with something of significant value to them?

APPENDIX C (cont.)

Some of the crystals donated by the donor are currently on display for sale through John Serino, the new president of the Danville Chapter who had just opened up a crystal shop in Littleton, NH. Set prices would be tagged on each specimen and since the proceeds would go to WFHF, John offered to do this without even charging a commission. These items are a specialty item and will fetch the best price by being offered for sale in an establishment that specializes in these items and will attract the right client base. I have also been informed by Committee members that the store owner who has been displaying some of the crystals was visited a week or so ago by a member of the BOT to observe/check on the crystals that have not been sold yet.

Part of my old job in Revenue in Taxation included doing business process documentation and risk assessment, the links I have included about Vermont Legislation were included largely to create awareness among the BOT of the risks inherent within harassment of

volunteer members, defamation, or the privacy issues related to personal information the organization manages.
At any point members who are being defamed or targeted through the organization could have someone look into defamation on their own behalf.

What is defamation libel and slander law?

Defamation is any statement, whether written or oral, that injures the good name or reputation of another person. For a statement to be defamatory, it must not be true. A defamation designed to be read is libel. Libel also may include harmful statements in a fixed medium, especially writing but also a picture, sign, or electronic broadcast. An oral defamation is slander. Slander is a harmful statement in a transitory form, especially speech.
Defamation is largely the same whether committed by more traditional means or online. Internet based defamation can be dangerous because it is so easy to have widespread public access to the defamatory statement. A seemingly innocent rant can spread quickly through Internet web sites, emails, and online postings.

As a volunteer and member of this organization, I hope the complaints presented in this email will be taken seriously and given the attention they deserve. This is a sincere attempt to allow the organization to deal with these issues internally and to deal with them in such a way that similar events do not occur again.
Sincerely
Michelle Hicks
ASD Member and Treasurer Water For Humanity

APPENDIX D

Amy Loomis Email Thread

On Thu, Mar 10, 2016 at 9:42 PM, Idaho Dowsers < > wrote:
Thanks, Michelle! It is fair and direct. Good job. I wonder when it is time to tell them Steve left 10 years of data at HQ, that there are no originals because everything is done by electronics. If they are going to examine grant proposals I think we might insist that they have a non-profit charitable fund person as part of the audit. This seems so inappropriate. Wonder how many years Lisa can go back with Quickbooks? She has all the Original Data" checks, etc.

Amelia "Amy" Loomis, MSW, CCHt
Idaho Dowsers

On Mar 10, 2016, at 5:25 PM, Michelle Hicks < > wrote:

Jenni, Jean, Steve, Dan, Don, Amy & Dreama,

I believe I have copied in all the WFHF members who were present in last night's meeting. I received this from the Audit Committee today. I copied Jenni, Jean and Steve on my response. I will forward momentarily.

Yours in Health and Wellness,

Michelle C. Hicks

Owner of Michelle C. Hicks Healing Arts, Treasurer and Member-at Large, Water for Humanity Committee, the American Society of Dowsers Inc., Member of the Atlantic Society of Dowsers, Member of the American Society of Dowsers Inc., Member of the International Society of Dowsers and Research Association, Quantum Healing Hypnosis Therapy, and Vibrational Energy Therapy

Facebook, LinkedIn, Twitter, Website: www.MichelleCHicks.com

---------- Forwarded message ----------
From: **Lee Ann Potter** < >
Date: Thu, Mar 10, 2016 at 5:32 PM
Subject: Re: Two other donations not deposited into WFH checking account.
To: Michelle Hicks < >
Cc: asdauditor@dowsers.org

Michelle,

Thank you for the input.

The audit committee will be looking at this type of activity as part of our audit, but our plan is to go back approximately 7 years, the time we believe the last audit was. We do want to make sure that funding has been allocated properly, and we will be making suggestions regarding how to eliminate this as a problem area in the future.

If you have, or know of, any additional information that would assist us, please let us know; if there is too much information to email (or if it is hardcopy), we can provide you with a mail address; we would scan it is as PDFs and return the information.

Our understanding is that Steve possesses much information at his residence, information that may be critical to our doing an accurate and complete audit. This would include letters to/from ASD lawyers, contribution information, meeting minutes, WFH/WFHF source/founding documents, etc.

There is no part of this audit that has been pre-determined; we have an idea of what information is available, and are starting to learn what is not available. We do not know what any of this information will show, but whatever we can get, it will be used. Our goal, simply, is to determine facts, and document what we find. We do anticipate that our audit will result in changes to procedures and policies; our findings will be reported to the executive committee, but they will also be reported to the membership at the annual meeting at convention this year. We are aware that WFHF does have beliefs regarding what has been happening, and we are very interested in know what you know; and if we can document impropriety, we certainly will.

Lee Ann Potter
Chair, ASD Audit Committee

APPENDIX D (cont.)

On Thu, Mar 10, 2016 at 10:52 AM, Michelle Hicks < > wrote:
I am attaching two other donations that have not been deposited into the WFH checking account.

As you can see they are date stamped December 18, 2015 by HQ.

I have no way of knowing how frequently errors such as this occur within the organization.

Yours in Health and Wellness,

Michelle C. Hicks

Owner of Michelle C. Hicks Healing Arts, Treasurer and Member-at Large, Water for Humanity Committee, the American Society of Dowsers Inc., Member of the Atlantic Society of Dowsers, Member of the American Society of Dowsers Inc., Member of the International Society of Dowsers and Research Association, Quantum Healing Hypnosis Therapy, and Vibrational Energy Therapy

APPENDIX E
WFHF-ASD Draft MOU

MEMORANDUM OF UNDERSTANDING

The Memorandum of Understanding is made this June 02, 2015, by and between the Water for Humanity Fund and its umbrella organization, the American Society of Dowsers of 184 Brainerd Street, Danville, VT 05828.

Whereas the American Society of Dowsers (ASD) agrees to recognize that the Water for Humanity Fund (WFH Fund), while managed by a committee operating under the auspices of the ASD, and sharing the same 501(c)3 status, is an organization in its own right functioning as an international water resources development organization.

And whereas the ASD recognizes that the WFH Fund and its committee operates on an international scope and with significant sums of money, the By-Laws and Policies & Procedures which govern the WFH Fund and the committee managing the WFH Fund must necessarily differ from ordinary committees, principally in regards to degree of autonomy and self-determination.

And whereas the parties, ASD and WFH are desirous to enter into a Memorandum of Understanding between them, setting out the working arrangement that each of the parties agree are necessary to allow the operation of each at maximum efficiency while affording the optimum mutual benefit.

The ASD agrees that the WFH Fund Committee, recognizing that the WFH Committee operates at least an order of two of magnitude above other committees within ASD, needs a certain amount of autonomy and self-determination. Volunteers on the WFH Committee need to have a certain minimum level of relevant education, and of experience in travel, language and culture in foreign countries, particularly in the developing world. Therefore, the sitting WFH Committee members are the best judge of who qualifies to join their ranks. They have the right to screen candidates, and vote whether or not to invite the applicant to join them. The sitting Committee also votes on who will fill Executive Committee positions within the Committee when such become vacant. This encourages the formation of a compatible team with strong skills and assets which complement each other and provide stability to the operation of the WFH Fund.

The ASD recognizes that the Water for Humanity Fund looks forward to a lifetime of at least many decades, and needs committee members with a certain level of competence in the specialized field of water resources

APPENDIX E (cont.)

development and who have staying power. Such an organization needs institutional memory, and the WFH Fund Committee and WFH Fund operations must be protected and not be vulnerable to disruption every two years from reinvention by a new group of Trustees.

Services to be rendered by the American Society of Dowsers:

Provision of office space and storage space at ASD Headquarters.

Shouldering the WFH fair share of total ASD overhead costs, reflected by the percentage of space that WFH Fund takes up (6.24%) at ASD Headquarters.

Allowing use of copiers and other office equipment as needed.

Communication with the ASD membership through list serves (WFH E-Newsletter) and print media.

Provision of accounting services throughout the year, and ASD – WFH Fund combined tax assessment for annual return.

Sharing of telephone, cable, internet services, etc.

To allow some staff time to be allotted in the performance of incidental tasks requested by the WFH Fund manager or other committee volunteers.

Performance of certain duties by ASD staff in connection with the WFH Fund bank account; writing checks for projects, materials or services, and providing bank statement and related information each month.

Services to be provided by the Water for Humanity Fund:

WFH Fund agrees to function as the practical and humanitarian arm of ASD, demonstrating its practical application and building credibility for the art. WFH Fund agrees to attract attention to the art of dowsing, promoting it as service to humanity, and guiding those interested into becoming dowsers to join the ASD.

WFH Fund agrees to the degree which it is able, to reimburse ASD for overhead costs and use of equipment through percentages of grant monies obtained.

WFH agrees to allow two voting positions on its committee for Trustee Liaisons, to help provide oversight and transparency to ASD as its umbrella, with the understanding that these Trustee Liaisons must pass the same scrutiny of any other member.

APPENDIX F

Use of personal address for ASD business

January 17, 2009

Phillip Kuras

[redacted]

Dear Phil:

Please find enclosed an official document from the American Society of Dowsers' Water for Humanity Fund which can be presented to the IRS as proof of your donation (monies generated from sales of your contribution of a collection of crystals and minerals). In the document I list the amount of $6,648.90 as the amount generated to date, without mentioning that this has been generated over a three year period. For your own information, the amount generated from crystal sales in 2006 was $4,470.50, followed by $641.50 in 2007 and $1,536.90 in 2008. I will be sending another letter like this at the end of 2009, and from then on every year until the entire collection is sold.

As Secretary of the WFH Fund and on behalf of the entire committee, I would like to thank you again for this generous donation. What has been raised just so far is enough to construct as many as ten wells in some places, and enough to dramatically improve the lives of hundreds, if not thousands of people.

We of the committee hope your move to Georgia has proved to be a positive choice and we wish you all the best in the New Year.

Sincerely,
Steven G. Herbert, WFH Secretary

P.S. For future reference, my own new contact information is:

Steve Herbert, [redacted]

APPENDIX G
Tax statement example

The American Society of Dowsers
PO Box 24, Danville, VT 05823 USA
Telephone (802) 684-3417 Fax (802) 684-2565

July 10, 2015

Bill Getz
[redacted]

Dear Bill:

The committee of the Water for Humanity Fund would like to acknowledge the receipt of your check (#1271, dated 6/5/2015) for $500, which was deposited into the WFH bank account on 6/19/15. Unless otherwise directed, your contribution will go into the WFH general funds, which will be applied to any project deemed worthy by majority vote of our nine member committee.

As Secretary of the WFH Fund and on behalf of the entire committee, I would like to thank you for your generous contribution. With nearly a quarter of the earth's population lacking either accessibility or adequate amounts of safe potable water, the need far outweighs our ability to address the problem everywhere. However, a donation such as yours can make a tremendous difference in the lives of a family or a village.

We of the committee are pleased to report that we have expanded on many fronts in the past few years, and with increased publicity are becoming better known to the general public, expanding our funding base beyond the ASD membership. You are invited to look in the pages of the ASD publications for news and reports from completed projects. Please also check out our website (www.waterforhumanityfund.org) and watch for our bimonthly e-newsletter. Below is a summary of our grant allocations and projects over the last three years.

At its teleconference meeting of January 18th, 2013, the slate of projects included a well in Uganda, another community dug well in western Kenya, our fifth ceramic water filter distribution project in El Salvador, and nine more wells in India. One other Indian organization received a small grant to hold awareness campaigns and conduct workshops in ten villages in Tamil Nadu over two days, in recognition of World Water Day on March 22nd. In March, we received a grant to support a second-phase ceramic water filter distribution project in Kenya. At the June 9th meeting at convention, annual support was approved for Brother Kimpton in India and St. Bonaventure on the Navajo reservation, plus four more wells in India. In our November 11th teleconference, the WFH Committee approved a replacement pump for a community well in western Kenya, support

APPENDIX G (cont.)

for a ceramic water filter factory and filter distribution in northern Tanzania, two wells each for two organizations in southern India, two wells and four composting latrines for a new organization in Kenya, and a filter distribution project for a village in Honduras.

Our first meeting of 2014 was on March 5th, at which the sixth phase of the filter distribution project in El Salvador and the second funding of World Water Day activities in India was approved, along with an institutional-size composting latrine in Uganda. A memorial well for Trustee Andy Bray was initiated with RPDS of the southern Indian state of Tamil Nadu, along with five other wells in India between IRWED, VDC and Children Watch. Once again we supported water delivery on the Eastern Navajo reservation in New Mexico, USA. Our first project in Zimbabwe was a drilled well. In our teleconference meeting of September 11th, a well was approved for Ghana and memorials wells in India were approved for Andy Bray, Rene Lincoln and Robert Conary. The committee also approved funding to help sponsor the second national convention of the newly formed India Society of Dowsers.

The WFH Committee met on February 17th for its first teleconference meeting of 2015, in which a dug well in western Kenya was funded along with the second composting latrine for a primary school in Uganda. The slate of projects also included six organizations in southern India which received one bore well with hand pump each. Four organizations were new and two had one previous project under their belt. At the committee's meeting held during convention, on-going funding was again approved for water delivery on the Eastern Navajo Reservation in NM, USA. A ceramic water filter distribution project was given the go-ahead in Tanzania. And in southern India approval was given to a rainwater harvesting project, two composting latrines two wells. We look forward to another good year with your generous help.

If you have any questions or comments about any of the WFH activities, they may be directed to Secretary Steve Herbert at (603) 616-7872.

Once again we thank you for your valued support in this worthy cause.

Sincerely, Steven G. Herbert

Steven G. Herbert, WFH Secretary

P S. The WFH Fund operates under the auspices of the ASD and shares the same 501(c)3 status with tax exempt #03-6010613. For purposes of your 2015 tax return, your donation of $500 is fully tax-deductible.

We thank you for this generous contribution as well as many others sent our way over the years in lieu of accepting payment for your dowsing services.

APPENDIX G (cont.)

The American Society of Dowsers
PO Box 24, Danville, VT 05828 USA
Telephone (802) 684-3417 Fax (802) 684-2555
asd@dowsers.org dowsers.org/water-for-humanity

July 11, 2015

Glen Johnson
[redacted]

Dear Glen:

The committee of the Water for Humanity Fund would like to acknowledge the receipt of your cash donation of $50, received on June 7th, which was deposited into the WFH bank account on 6/19/15. Unless otherwise directed, your contribution will go into the WFH general funds, which will be applied to any project deemed worthy by majority vote of our nine member committee.

As Secretary of the WFH Fund and on behalf of the entire committee, I would like to thank you for your generous contribution. With nearly a quarter of the earth's population lacking either accessibility or adequate amounts of safe potable water, the need far outweighs our ability to address the problem everywhere. However, a donation such as yours can make a tremendous difference in the lives of a family or a village.

We of the committee are pleased to report that we have expanded on many fronts in the past few years, and with increased publicity are becoming better known to the general public, expanding our funding base beyond the ASD membership. You are invited to look in the pages of the ASD publications for news and reports from completed projects. Please also check out our website (www.waterforhumanityfund.org) and watch for our bimonthly e-newsletter. Below is a summary of our grant allocations and projects over the last three years.

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APPENDIX G (cont.)

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If you have any questions or comments about any of the WFH activities, they may be directed to Secretary Steve Herbert at (603) 616-7872.

Once again we thank you for your valued support in this worthy cause.

Sincerely, Steven G. Herbert

Steven G. Herbert, WFH Secretary

P.S. The WFH Fund operates under the auspices of the ASD and shares the same 501(c)3 status with tax exempt #03-6010613. For purposes of your 2015 tax return, your donation of $50 is fully tax-deductible.

We thank you for this and other contributions sent our way in lieu of accepting payment for dowsing services. We appreciate your support in many forms over the years.

APPENDIX H
Oct, 2015 WFHF Minutes

Minutes of Water for Humanity Committee meeting
October 26, 2015
held by teleconference

Attending this meeting: Standing committee members Dan Prater - Chairperson, Steve Herbert – Secretary, Michelle Hicks - Treasurer, Trustee Liaisons Jean McDonald and Jennie Anderson, Advisor Amy Loomis, and quest Don Black.

The meeting started promptly at 6:00 PM EST, beginning with the topic of highest priority, the 2016 budget prepared by Treasurer Michelle Hicks upon request by the ASD Board of Trustees. Amy commented that it was good that Michelle averaged three different years in the past to come up with her estimates. It was noted that we had approved more funding allocated to this country, agreeing on a figure of 15% increase. There was discussion on what percentage in the grants we write will go to administration (defined as everything else but the foreign or domestic grants). There was also the suggestion that we designate administrative costs vs. program costs which are directly related to one grant. Jean suggested we should draft a policy statement of what goes in what category. Amy suggested a cover sheet be written to accompany whatever we give Lisa to advise her on what categories to use so she can code it correctly. Amy also recommended that some money be set aside in the budget for a review by an accountant or attorney (to make us safe if audited), suggesting about $250. Questions would be submitted in writing and we would review them together before submitting them. Amy and Don agreed to work on a letter (note – subsequently, Amy was able to talk directly to the accountant which may make this moot).

Dan requested that Jean stand in for him in delivering a WFH Fund report to the BOT tomorrow evening.

It was decided that a letter outlining the proper use of the logo be sent ASAP by Steve to Jean also in preparation.

Regarding the graphic work we hire out, the company we have been using is Advanced Graphic Communication in Littleton, NH, owned and operated by Gail Kimball, who happens to be Steve's sister. It was decided, that to avoid issues of conflict of interest, from this point that we obtain an estimate first

on any future requests, and that communication be direct between Ms. Kimball and Dan Prater as Chairperson.

Steve reminded those present that next year, 2016, is the 25th anniversary of the Water for Humanity Fund®, and suggested we begin thinking about some special events or projects to mark this event in celebration.

Previous to the meeting, Steve had emailed a communication with resume attached from a woman by the name of Diane Johnson of Iowa. Diane expressed interest in joining our committee in some capacity. Of greatest interest is the fact that she has much experience to offer as a professional videographer.

The above prompted a discussion of distinguishing formal from informal advisors.

A motion was made by Jean McDonald to approve the minutes of the previous meeting on September 21st. This was seconded by Michelle Hicks with all in favor.

A second motion was made by Michelle Hicks to accept the WFH Fund 2016 budget as written with the changes discussed. This was seconded by Jean McDonald and approved unanimously.

The meeting adjourned at 8:00 PM.

APPENDIX I
WFHF Secretary Travel Budget/Claim

Honduras 2009	February	March	March	March	April	Totals
	USA	USA	Honduras	USA pt	USA pt	
Medical	155.55					155.55
Phone/Card						0
Trvlr's Insurance	49					49
Traveler's chks						0
Photography		29.64				29.64
Stipend	800					800
Ticketing	407.7		238			645.7
Food&Water		7.57	113.57	18.47		139.61
Transport	40	38	114.74	26		218.74
Gear&Supplies	9.28	10.42	14.38			34.08
Copies/Internet			11.43			11.43
Personal			133.32			133.32
Leftover.Curr.			27.35			27.35
Room&Board			270			270
Lang.Lessons						0
Ent&Exit Fees			34			34
Project Exp.s			1.59			1.59
Interp/Guide						0
Hotels			82.56			82.56
Discrepency			1.06			1.06
Postage						0
Trip Itself						0
Beginning Total	Total Feb	Tot Mar U	Tot Mar H	Tot Mar U	Tot Apr U	2633.63
8,126.99	1461.53	85.63	1042	44.47	0	2633.63
	clipboard	i glasses				
	& journal	& notepad				

APPENDIX I (cont.)

	November	December	January	January	February	February	Totals
	USA	USA	USA	Ecuador	Ecuador	Uspost trip	
Medical		110.99	40			248	398.99
Phone/Card			70	0.75	5.57		76.32
Trvlr's Insurance			80				80
Traveler's chks							0
Photography			50.5			31.96	82.46
Storage Unit		38					38
Ticketing			1,287.40				1287.4
Food&Water			22.12	54.14	185.47	17.85	279.58
Transport			15	72.4	94.1	$15	196.5
Gear&Supplies	32.32	3.15	33.78				69.25
Copies/Internet				3.27	15.3	21	39.57
Personal				111.45	216.05		327.5
Leftover.Curr.					0.17		0.17
Room&Board							0
Lang.Lessons							0
Ent&Exit Fees					40.8		40.8
Project Exp.s			35.82	5.4	18.95		60.17
Interp/Guide				260			260
Hotels				152	136.8		288.8
Discrepency					54.43		54.43
Postage							0
Trip Itself			37.12	659.41	767.64	32.85	1464.17
Beginning Total	Total Nov.	Total Dec.	TotJ/USA	Tot J/Ecu	Tot F/Ecu	Tot F/USA	3579.94
8,126.99	32.32	152.14	1634.62	659.41	767.64	333.81	3579.94
	sp glasses	ml proph	supplemts				Remaindr
	umbrella		cell 1 mo.				4,547.05
	flashlights	calculator	& ph card				
	sm caribnr		film				
			1st Aid kit				
			compbook				
			lamination				

APPENDIX I (cont.)

	November USA	December USA	January USA	January Ecuador	February Ecuador	February Nicaragua	February El Salv.	February Honduras	March Honduras	March USA trip	March USpost-trp	Totals
Medical		449.03										449.03
Phone/Card		20										20
Trvlr's insurance			201									201
Traveler's chks			15	5.4							83.92	20.4
Photography		80										143.92
Storage Unit		104										104
Ticketing			1,131.00									1,131.00
Food&Water			22.21	54.43	34.96	327/6.12	18.4	359L	28L	35.53		214.57
Transport			35	105.25	12	$33	70	1199L	135L	23.5		351.08
Gear&Supplies			34.54	18	32.88							85.42
Copies/Internet				49.24	14.2	105/19.08	11.5	475.10L				119.4
Personal				219.22	141.15	166/9.80	36.48	1898L	132.10L&$10			$524.12
Leftover Curr.									100L			5.34
Room&Board									3,500L			187
Lang.Lessons												0
Ent&Exit Fees					93.9	86	3		561			163.9
Project Exp.s	80							605.80L				112.37
Interp/Guide				140				60L				143.21
Hotels				130	30			522L				187.89
Discrepency								304L				16.24
Postage												
Trip itself		57.21	1438.75	720.54	379.09	74	139.38	291.88	279.12	59.13		3439.1
Beginning Total	Total November	Total Dec.	Tot1/USA	Tot 1/Ecu	Tot 2/Ecu	Total Nic	Total E.S	Tot 2/Hon	Tot 3/Hon			4180.79
4,755.25	80	853.03	1438.75	720.54	379.09	74	139.38	293.85	277.15	59.13	83.92	4178.84
	2 #35 screens	Yfshoi&mi	lr locks &	poncho &	glasses &				Remainder			
			miscl gear	umbrella	locks				574.46			

APPENDIX J

Funding for establishing Indian Dowsing Society

Announcing the formation of the All India Society of Dowsers

With this notice, let all of us of dowsing societies of the English-speaking world and of dowsing societies everywhere, be informed of the formation of the first national society of dowsers in the populous country of India. This occurred at the first national gathering and convention of Indian dowsers, held on November 23rd and 24th of 2012 in Avur, Tiruvannamalai District, state of Tamil Nadu, India. Fifty two experienced and novice dowsers representing the southern Indian states of Tamil Nadu, Andhra Pradesh, Kamataka and Puducherry gathered that weekend to share their experience and advice in successful water location. They also offered each other fraternal support and demonstrated their various tools of choice, such as the V-shaped Neem stick, pendulum, bottle filled with water, coconut, watch, small bell, and stone tied to a rope. Furthermore, the participants advocated to one another the responsibility they share to respect and protect water as well as promote its conservative and sustainable use. The dowsers gathered took their roles seriously in service to the needy and in dedication of reasonable access to adequate quantities of safe and potable water as a basic human right.

The inspiration for the convention came from an organization calling themselves Tamil Nadu Tribal Development Society (TNTDS), the members of which are all traditional dowsers. The secretary of this registered non-profit, Mr. C. Arokia Dass, contacted Steve Herbert, Secretary of the American Society of Dowsers' Water for Humanity Fund, which is well known in the Indian state of Tami Nadu for funding many water resource development projects. The proposal which was later submitted as a result requested funding for constructing two bore wells and hand pumps in needy villages, with a smaller portion requested to help fund an organizational meeting and convention at which they hoped to form a national Indian society of dowsers. The funds were provided and the ASD WFH Fund also lent its moral support and advice, including in the formation of by-laws.

Mr. Dass presided over the convention, and the result was the historic establishment of the All India Society of Dowsers (AISD). At that first gathering, elections were held and a seven-member Executive Board was formed, and by-laws were finalized and passed. Mr. Alavandan, a retired teacher with more than 35 years experience as a professional dowser was elected as the first president of the AISD. During the convention, Mr. Alavandan gave his personal account of what drew him into dowsing. Thirty five years ago, there was a famine in the village in which he was teaching, caused by the consecutive failure of the seasonal monsoon. After much difficulty in the digging, a dowser was sought out who with a V-shaped stick identified the best spot for digging. Mr. Alavandan took an interest watching the dowser, tried it himself and found good reactions. After many successes at locating water his reputation grew and he became much sought after. The new membership made a fine choice for first leader of AISD.

Let us join together in congratulating our fellow dowsers of India and in wishing them much success and a long and fruitful association.

For more information about the AISD, contact Steve Herbert, WFH Secretary, at waterdowser@hotmail.com.

WATER FOR HUMANITY E-NEWSLETTER

Volume 6, Number 6: December, 2014

Submitted by WFH Secretary Steve Herbert

Welcome to the Water for Humanity E-Newsletter, created to keep you the membership and our supporters better informed of the activities of the WFH Fund, in supplement to our regular postings in the American Dowser.

A few news items:

An email vote: During the period October and November, the first news item was that on October 22nd, an email vote was conducted and finalized approving a grant of $2,100 for Tamil Nadu Tribal Development Society (TNTDS) to fund the expenses of holding the second conference of the All India Society of Dowsers (AISD), and sanctioning a supplemental grant of $580 for Rita Marley Foundation (RTF) to adjust their recent grant amount for a recent change in currency exchange rate.

APPENDIX J (cont.)

Progress Report of 2nd National Convention of Indian Society of Dowsers

1. Grantee organization	Tamil Nadu Tribal Development Society Church Road, Avur.S.O., Tiruvannamalai Dsit. Tamil Nadu, S. India. PIN Code: 606 755 Phone :+91 4175 244372 Email : info@tntribalrights.org
2. Identification of the Project	2nd National Convention of Indian Society Of Dowsers (Formerly All India Society of Dowsers).
3. Thematic area	Annual General Body Meeting.
4. Location of the Project	Scripture Union Camp Site, Mamallapuram, A UNESCO asserted Monumental Site, India.
5. Project Date	22nd March 2015.

6. Results

Sl. No.	Activities Approved	Outcomes	Progress as on date.	Remarks
1.	Communicating ,Publicizing of the Convention and Drawing Dowsers and activist in water related activities	Dowsers in a total of 59 and large number of activists involved water related services participated in the convention from 3 States of India	Completed	As there was late in securing the funds chances were high to travel to nearby states and contact delegates
2.	Website for Indian Society of Dowsers construction and hosting.	Website construction is completed abut waiting for hosting as delay occurs in legal registration. Of the Society. The registration of Indian Society almost over; necessary fee was received by the Department but Certificate issuance is waited.	90% achieved	Efforts are on to receive the certificate in a week or two; then the website will be activated. The coming up website would serve as link to dowsers nation wide.
3	Media Advocacy	Reports were given to press directly and by post with photographs; 2 press reporters also participated in the Convention.	Attempted; educating media for such programs are started.	The media is lacking in understanding the importance of the Convention and theme. So, it may publish later.

4.	Capacity building of delegate's and active participation in the convention.	Delegates were aware with the service, power of dowsing practices and acquired the skills in water conservation, rational use methods and water rights to all. World water day and decade on Global action were realized and celebrated.	Completed with satisfactory level.	The delegates openly shared their experiences in dowsing practices with great interest.
5	Annual General body endorsement past year activities and planned for the coming year. Formation of Dowsers chapters planning.	Society's previous year actions were ratified democratically. Next year activities were streamlined that provided chance to enhance members involvement. Representatives attended the convention from 3 states other than Tamil Nadu committed themselves to form chapters within a year.	Under taken; progressing in the process.	Democratic process is appreciated by members. Positive signs of Dowsers society expansion noticed.

7. New activities/ unexpected difficulties/ Action taken to solve

The convention delayed due to some unexpected situations; first it was the interest to transfer funds by wire, missing of the check in the bank, meeting venue availability, sickness of the President Mr. Alavandan, resignation of Secretary Mr. Joseph Peter Kumar to leave for US for onsite job etc. However the interest of Dowsers and Steven Herbert made it possible.

8. Lessons learned

Registration with the Government brought problems for a long time. Dowsers prepared for change and patience brought to this stage. Hope this time the success will be with us.

9. Others

As it was the first big imitative there were some difficulties; hope the future will strengthen the organization. Mr. Steven Herbert's encouragements should not be forgotten.

10. Reported by

C. Arokia Dass
Secretary, Secretary TNTDS

Cornell-Brown, Rowan

From: Jax Willey <jaxwilley@gmail.com>
Sent: Friday, January 27, 2017 1:02 PM
To: Powers, Michael
Subject: Fwd: American Society of Dowsers

Hi Michael,

Amy Loomis contacted me and told me to get in touch with you about The American Society of Dowsers.
I had sent you this message last year.

If I can still help let me know.

Best wishes,
Jax

---------- Forwarded message ----------
From: **JaxinVermont .** [redacted]
Date: Tue, May 17, 2016 at 6:32 PM
Subject: American Society of Dowsers
To: michael.powers@vermont.gov

Dear Michael,

I believe I spoke with you last fall about my resignation from the American Society of Dowsers, if it was not you, I apologize for the mistake.

I have almost 200 notes in my email about my experience working at the American Society of Dowsers. I was employed there from September 2012 until September 2015 when I quit.

My reason for leaving was the abusive treatment I received from Lisa Lacoss the now Operations Manager and the current board of trustees including Sandi Ruelke, Sandi Isgro, & Annette Weis.

I was actually sexually harassed by a fellow employee of the American Society of Dowsers, Blair Wolson, in 2014 resulting in his firing, which led to what can be coined as 'slut shaming' for my remaining year of employment by all of the above (in addition Keith Shaffer also executive member of the board).
Beyond this I witnessed Lisa Lacoss's from the years of 2012 abuse and demean me and volunteers including committee Water for Humanity secretary Steve Herbert.

I saw her outright lie about the actions of Steve Herbert to members of the board. She constantly blamed her mistakes on him and lied about his communications with her.

I saw her take money into her own private areas insisting on no one else counting it. I recorded much of this in my notes that I kept as email drafts.

I saw her mis-reporting bookkeeping reports to the board and others, withhold information and seem to become emotionally unstable when asked for more information.

Other people to contact can be produced on her behavior and emails and behaviors of the board. I am willing to be interviewed and produce information.

I believe it is in the state of Vermont's best interests to do some serious investigation for protecting tax payers and consumers....

I truly have very little time for the shenanigans of ASD but because they are so grossly getting away with abusing good people and books, I feel I must offer information if asked.

I implore you to find a way to put an end to the cruelty, dishonesty and what I intuitively feel is embezzlement, of this national organization located at 184 Brainerd Street in Danville, Vt.

Let me know if you want to speak further.

Best,

Jacqueline Willey
[redacted]

Cornell-Brown, Rowan

From: Janis Fallon <[redacted]
Sent: Tuesday, December 19, 2017 11:02 AM
To: Powers, Michael
Subject: Fwd: ASD Ethics charges

I wanted to share with you a recent contact from the ASD Board Treasurer/Secretary and Executive Committee member and my response. It appears that they do plan to have an Ethics Committee review the charges a group of us filed in June 2017. I note some concerns in my response as it appears one of the two board members not charged and who would vote on the Ethics Committee recommendations made himself chair of the Ethics Committee. This would seem to be a conflict of interest and not be an impartial Ethics Committee. I am concerned that they are going through the motions to just clear the Board and not provide an impartial review of board wrongdoing.

I am also very concerned that the ASD Board will then go after those of us members who filed the complaint and charge us and terminate our memberships in retaliation for whistleblowing.

Thank you for your efforts and looking into all this.

Janis Fallon

---------- Forwarded message ----------
From: **Janis Fallon** <[redacted]
Date: Tue, Dec 19, 2017 at 10:53 AM
Subject: Fwd: ASD Ethics charges
To: asdrecorder@dowsers.org
Cc: "Alden (Tick) Gaudreau" <president@dowsers.org>, Alden Gaudreau [redacted]anis Fallon [redacted]

Dear Mr. Minor, ASD Recording Secretary, ASD Treasurer & ASD Board Executive Committee Member:

Thank you so much for contacting me - I appreciate your efforts to address the charges filed against eight current and former Board members in June of this year. I am responding below to your questions.

I am copying Tick on this response as we have talked and communicated throughout this process and I see that you included him on this email. I did not copy Lisa Lacoss as I was unsure of the confidentiality of the Ethics Committee process or why an ASD employee is involved.

I also want to make clear (as I have repeatedly told Tick) that I am not acting as a legal representative or ombudsman, only as a longtime ASD life member. I was approached by a number of individuals harmed by the charged board members prior to the 2017 convention and I was asked to help since I am a current member.

I contacted Tick to let him know that I was not representing the group going forward as there are others who may be considering other actions. I am still part of the complainants in regards to the filed charges.

That said, let me address your questions:

Question 1. Is there now a spokesperson, or legal representative willing to assume your previous role?

Answer: As noted above I am still one of a number of complainants who filed the charges. I am not the legal representative or ombudsman. I am happy to be the contact point for the complainants or you may contact all of the complainants.

Question 2. Do you have first-hand knowledge of the complaints as tendered by the group?

Answer: As stated in the cover letter to the charges, I have personal knowledge of the charges.

Question 3. If there is no spokesperson, or legal representative, who are the specific individuals we should report our findings to?

Answer: The ASD by-laws require that the decision be reported to all involved parties.

Question 4. Does the group still have an interest in proceeding with the charges?

Answer: Charges have been filed against certain current or past Trustees and the ASD by-laws require that these be heard by an impartial Ethics Committee.

Question 5. Lastly, the Ethics Charge Committee is interested in reviewing each individual charge. Will the group be willing to provide sworn statements to support their claims?

Answer: As part of their conversations with those harmed and those charged, the Committee could request sworn statements from all parties providing information.

The complainants also had a few procedural questions for you based on your email to help assure us that a fair impartial process will be followed by the Ethics Committee:

Who is on the Ethics Committee?

Are the Ethics Committee members impartial (e.g. were any members from the list given to Tick by the charged individuals that they wanted on the Committee selected)

What process will the Ethics Committee follow?

Will they interview the previous members that were charged and/or terminated?

Will the Ethics Committee conduct an open hearing; open at least to the Complainants?

Will the Committee disclose what documents, exhibits, evidence or statements they will review and consider?

If the Complainants wish to add additional evidence or charges (as a right reserved in the complaint), or others wish to file charges, how will this be handled by the Ethics Committee?

If the Ethics Committee require statements under oath from the charged current and past trustees and individuals providing information, will all statements be in the same format so that there is parity as to both sides and will they be available for review?

If the Ethics Committee would like additional evidence, will the Complainants or involved parties be provided sufficient time to compile and provide the requested information?

That leads to a serious concern with you as the chair of the Ethics Committee as that would seem to violate the by-laws, be a conflict of interest, and could prevent an impartial hearing of the charges. The by-laws state that the Ethics Committee will make recommendations to the Board and the Board will vote on disciplinary actions and recommendations from the

Ethics Committee and make a final decision. As charged Board members cannot vote, it is only you and Tick that will be the Board members hearing and voting on the Ethics Committee recommendations and making a final decision within 30 days of receipt of the recomendations. Therefore, I cannot see how you can be on the Ethics Committee and also on the Board voting on the impartial Committee's recommendations. The Ethics Committee should be impartial members and be able to work without interference from the Board. They should then make their determinations and recommendations to the uncharged Board members as required by ASD's by-laws. Not only would your participation on both sides be a violation, it would send a clear message that the Ethics Committee process was flawed and set up to make a predetermined recomendation.

I trust that you are asking these questions with good intent and are not looking to attack me and the other complainants due to our whistleblowing as this would certainly violate many federal and state laws.

Janis Fallon

ASD Life Member

From: **Matthew Minor** <asdrecorder@dowsers.org>
Date: Thu, Dec 14, 2017 at 6:45 PM
Subject: ASD Ethics charges
To: [redacted]
Cc: President@dowsers.org, lisa@dowsers.org

Dear Janice,

My name is Matt Minor, and am chairing the ASD Ethics Charge Committee due to begin its deliberations in early January, 2018. Tick Gaudreau did inform me you were no longer acting as the legal representative nor ombudsman for the group who tendered the charges. This raises some procedural questions.

1) Is there now a spokesperson, or legal representative willing to assume your previous role?

2) Do you have first-hand knowledge of the complaints as tendered by the group?

3) If there is no spokesperson, or legal representative, who are the specific individuals we should report our findings to?

4) Does the group still have an interest in proceeding with the charges?

5) Lastly, the Ethics Charge Committee is interested in reviewing each individual charge. Will the group be willing to provide sworn statements to support their claims?

Best wishes,

Matt Minor
ASD Recording Secretary/Treasurer
ASD Chairman Ethics Committee

Cornell-Brown, Rowan

From: Idaho Dowsers <idahodowsers@gmail.com>
Sent: Monday, October 2, 2017 1:02 PM
To: Powers, Michael
Subject: Fwd: Status update re ASD complaint

Michael, I think this information needs to be part of your file. I will call you and we can discuss this more in detail and set up a conference call with some of our key members. Thanks for your help,

Sent from my iPhone

Begin forwarded message:

From: Janis Fallon [redacted]
Date: October 2, 2017 at 8:12:40 AM PDT
To: "Alden (Tick) Gaudreau" <president@dowsers.org>
Cc: Idaho Dowsers <idahodowsers@gmail.com>
Subject: Status update

Hi Tick,

Got your email while on call so didn't get to it last night. I am heading out for a vacation so if you want to get in touch with group or discuss anything please contact Amy Loomis, idahodowsers@gmail.com

A few thoughts:

- I am surprised the charged board members can propose ethics committee members to hear charges against them. Bylaws are very clear that they cannot vote or be part of any matter related to charges so this would seem very serious conflict. Certainly those harmed were never given a similar opportunity!

- I don't have the authority to negotiate the charges nor do the bylaws permit this. Only ethics committee can hear. I don't think it will be that burdensome as not an audit but they are deciding if discipline required against 8 people - remove from board, terminate memberships or clear. The committee will come up with their approach - they could just look at what was submitted and make a determination there was wrongdoing demonstrated sufficient to recommend disciplinary action, they could speak with some or a lot people (charged, harmed and those with information) and/or request additional info. To help decide what to do with those charged. For example if they want more on using WFH funds for ASD fees we can refer them to or provide board and annual meeting recordings where the president, Annette and a couple of others made admissions and clearly stated that on several occasions. If want more on Marty's they can talk to her directly. So I think they can reach overall conclusions on if board members acted improperly and violated laws and bylaws in very short time. I think letting ethics committee be impartial fair people and set up their process and make recommendations re: charges against the 8 follows bylaws and makes your job easier and rebuilds faith. Also it should be clear that their discussions are confidential so you and Matt are just getting recommendations from them re: discipline and possibly other recommendations. It is more under AG

purview deciding if all/some of the legal violations need investigation or are actionable. So think the review and determination of disciplinary action and recommendations shouldn't take a long time or be difficult. Board certainly never took it to proving allegations (or even specifying charges) in past against those harmed and I don't think ethics committee is there to study laws and look at each element, etc. - their role is based on charges (and whatever they feel need to do) is to see if charged Board members acted improperly and if yes what discipline or recommendations to reverse harm should be made to you and Matt. Then you and Matt decide.

In re: membership list, would like written ASD response as was filed in accordance with Vt State law. I understand your point of view and concerns. I think a huge part for group will be seeing fair ethics committee going as a lot of distrust of board now and group not seeing any progress to address charges filed in June especially when those harmed were quickly and without any due process terminated and could get no response to letters requesting what they were charged with, were they even terminated, etc.

While I am not part of membership group, I hear their concern is that as a membership organization to whom board serves and has a fiduciary duty and the 8 board members for years have done some very bad things and charges have been brought. They have put ASD in jeopardy legally and morally. Again I think if progress is made on ethics committee that will really help and as noted their discussions should be confidential.

I also know your concern if people are removed from board and the group is dowsing and identifying potential candidates for your review. Obviously some on the ethics committee list that are not chosen for the committee are possibly good candidates. We were trying to dowse list that would better represent entire country and also with some experience in ASD as well as some new.

So we are truly trying to help you and turn things around and rebuild ASD. As always appreciate your feedback!

Janis

Sent from my iPhone

Begin forwarded message:

> **From:** "Tick Gaudreau" <president@dowsers.org>
> **Date:** October 1, 2017 at 8:25:19 PM EDT
> **To:** "Janis Fallon" <[redacted]
> **Cc:** [redacted]
> **Subject: Re: Status update**
>
> Janis,
>
> I have asked the Board to suggest members who they think would be good on an Ethics Committee and I just got their list on Friday. I will compare it to your list and see what comes up.
>
> I have a call in to the CPA who did the financial report and will be speaking with him on Thursday(?).
>
> Will your additional information be testimony in the form of sworn

affidavits? I think that if the ethics committee has to talk with each and every one of your witnesses, this thing could take months and no committee member would want to be involved in a long involved process.

You're group is asking an awful lot from volunteers on an ethics committee: 42 charges, supporting documents, and then verbal testimony from who knows how many people? Perhaps there is a way of streamlining this?

Might I suggest a "discovery" process where you will show me your evidence and I will show you mine. Provided you have the authority, we can then decide which charges have any merit and which ones do not. This will whittle the process down to a more manageable size. We would have to make some kind of non-disclosure agreement so the information gets no farther than you and me or other designated individuals. We can't have unproven charges and accusations being sent out to the members because I believe it would hurt the organization and reduce membership.

Which brings to mind the membership list. We don't want your group to have the membership list and contact information for a few reasons, the major one is that if you send information to the membership that is false or inaccurate, you will damage the organization. If and when charges are actually proven and for instance, people are removed from the Board, the membership is only entitled to know that a certain person has been removed from the Board, or in the case of procedural issues, that the issue has been corrected. If you send out charges, for instance, of Marty Cain's stating that we used her drawings in a new manuscript of the Basic Dowsing course and they are false (which I believe they are) then you will have to send a retraction or have the membership believing that we somehow injured Marty Cain. You can't un-hear something. I already hear from members that the Board used WFHF monies for attorney fees. If that is also entirely false (I believe it is), how can we undo the damage of a false charge or the suspicion of guilt?

If and when charges are proven and disciplinary action is taken, then disciplinary or repairing actions, where applicable, can be announced. You won't have to send the results: if I am still President, I will have ASD send results to the membership.

Please let me know your thoughts.

Thanks

Tick

We have a call tonight and I was asked if I could get a status update

from you as these items are on the agenda. (As you know some on the group

want to go on to other steps so important we are showing them making

progress and working together):

- Status of ethics committee. I do have another 4-5 names that came in

if you need more. Several would definitely be on a committee. - Status of

2016/2017 audit report - do you know when this is going to the

membership? - Status of response to membership request letter

We are working on supplemental information for the Ethics Committee and I

can also give you a list of phone numbers from them from those harmed

who would like to speak with the committee. If you have any particular

areas of the charges where you would like more information let me know and

we can help with that too.

Thanks!

Janis

Cornell-Brown, Rowan

From: Janis Fallon [redacted]
Sent: Thursday, November 16, 2017 3:55 PM
To: Powers, Michael
Subject: Fwd: Tick Response to Janis Fallon's request
Attachments: 20171114082012249.pdf

This was the response I received from the ASD president when I reiterated my request for accounting of my past donations as I would not have donated if I knew WFH donations were going to go to hurricane relief agencies, including the military for bottled water. He does not document or account for use of the funds I donated except to say they were spent before 2017 and they can do what they want with them and stretch the WFH mission to say this is in the scope. He does not address the part of my letter regarding not following ASD procedures manual requiring a Water For Humanity 6 member committee (there is only 1 person now and board is deciding and voting and telling him where money will go). Nor are they following their requirement for WFH to get proposals. Mr. Gaudreau also states that in the past WFH did similar projects. After talking to members of the WFH committee they said in flood zone and disaster areas they did build wells, provide composting toilets and similar projects which are the ones they held out on website, annual reports, and WFH brochures that the organization did. (And for which I did intend my donations to be used). They have never provided bottled water to hurricane relief agencies or provided donations to military organizations. There was an Indian reservation project providing tankers of water and the plan was to help then find wells and install them. I believe you have a copy of the WFH spreadsheet turned over by Steven Herbert in 2016 when ASD brought charges and/or terminated the memberships of most of those associated with WFH. This showed where money was awarded and where the funds were committed to and the types of projects that WFH did (and represented to donors they did). However, after freezing WFH funds and then later putting 1 person in charge of WFH to do as the Board voted and told him what was going to be done, it appears the Board is just giving away large amounts of remaining WFH funds for hurricane relief bottled water and has not followed through on the committed funds for which I and other donors donated monies for.

I still am awaiting a response to my request for financial information that I submitted as the ASD fails to post it on the web, discuss it on board meetings and has not provided it an annual meetings or I understand last year there was a general report issued for ASD but not for WFH as required by the procedure manual.

Mr. Gaudreau had also asked us to help find members to be on ethics committee to hear charges against the board members as he couldn't and we provided over a dozen names, including 7 who said they would definitely be on the ethics committee. As Mr. Gaudreau requested, these individuals had no connection to the group who brought the charges, Water for Humanity or the Danville Dowsers (as he felt since ASD had terminated a WFH member and the chair of the chapter when they heard the charges and cleared their chapter members per the bylaws that they would be biased). Mr. Gaudreau indicated that he got names from those board members charged as to who they wanted on the ethics committee to hear charges against them and the ASD secretary has spent weeks to call people and over 20 people said they will not be on the committee except possibly one. We had one of our group members contact those individuals who we provided names for that definitely said they would be on an ethics committee and none were called. Several have now emailed the ASD president to tell him they would be on an ethics committee. I am just providing this update as the ASD continues to avoid following Vermont non-profit corporation regulations, their own by-laws, or even to address the harm done and they continue to violate regulations and requirements.

I am concerned about retaliation from the ASD board for whistleblowing (bringing charges of legal and internal bylaw violations and pushing them to address these violations and being the main person to date communicating with the ASD President as he lives in my area and I have known him for a number of years) and working with your agency as this appears why I was turned down in his response to me in regards to the membership list. I forwarded you that response from ASD in a separate email.

I appreciate all your work and efforts. If I can provide any information or help, please let me know.

Janis Fallon

The American Society of Dowsers
PO Box 24, Danville, Vermont 05828 (802)684-3417 Fax: (802)684-2565
www.dowsers.org asd@dowsers.org

Janis Fallon

[redacted]

November 9, 2017

Dear Ms. Fallon,

Thank you for your letter of October 20, 2017 (received 10/23/17). Your letter raises concerns that your past donations, totaling nearly $30,000 to Water for Humanity Fund (Fund), were spent improperly. You challenge as inappropriate donations made this year to assist with hurricane relief efforts. The donations were made for the specific purpose of providing water to those who had been impacted by the hurricane and were without water. You have asked that your donations be returned to you. As explained below, your donations were unrestricted and are not subject to refund. Further, the monies had been distributed prior to 2017 and therefore were not used for hurricane relief. Finally, the monies were distributed in accordance with the mission of the Fund.

Our records show you made donations to the Fund in June 2011, June 2012, June 2013, and June 2014. You placed no restrictions on the use of the donations when they were made. Your generous donations, were approximately 1/3 of the roughly $100,000 received during the time periods you sent money and were distributed as part of an ongoing grant process before the beginning of 2017. They were not part of the monies distributed this year for hurricane relief.

Even if your donations had been part of the monies distributed this year, the use of those monies for hurricane relief would fall within the mission of Fund as set forth in the PPM. Section 1(a) General, states that the WHY will fund the development of dug or drilled wells, "... and other aspects of water resources and recovery in areas of critical need." The Fund language on the ASD web page elaborates on the anticipated use of the Fund's resources and specifically states that Fund monies are used for disaster relief: "In over 23 years of operation, projects to

The American Society of Dowsers
PO Box 24, Danville, Vermont 05828 (802)684-3417 Fax: (802)684-2565
www.dowsers.org asd@dowsers.org

provide water are funded in over a dozen countries, spanning North, Central and South America, the Caribbean, Africa and Asia, including projects in the United States on Native American reservations and disaster relief zones." Other examples in the Fund literature demonstrate use of its monies in cases of natural disaster. Providing money to purchase and distribute water to hurricane victims clearly falls within the scope of Fund's mission.

Because your donations were unrestricted, because the monies were used prior to 2017 and because monies distributed this year were done so for a proper purpose, ASD has no obligation to return your past donations and specifically declines to do so.

Sincerely,
AMERICAN SOCIETY OF DOWSERS

Alden (Tick) Gaudreau
President

Cornell-Brown, Rowan

From: Janis Fallon [redacted]
Sent: Tuesday, December 5, 2017 9:01 AM
To: Powers, Michael
Subject: Fwd:
Attachments: 20171204082927043.pdf

I had previously sent you copies of several requests that I sent to the American Society of Dowsers (ASD) regarding accounting for my donations and requesting financial information. I had sent their response where they did not account for the donations only to say they spent it. In regards to financial information, the Board refuses to post anything and also during board meetings refuses to discuss the finances except to say did all board members get the report and then they pass the financial report without any disclosure. Repeatedly they have said if anyone wants the financial information they can just ask. So as a lifetime member I did ask and got the attached response. The response says they are checking with attorneys re: if they can release anything to me.

It is very frustrating that the ASD Board continues to flaunt Vermont laws which permit members to get accounting for donations, membership lists, and financial information. I truly appreciate all your efforts and that of the AG's Office to look into these and other issues as we members seem unable to get information or get the Board to comply with it own by-laws and Vermont laws.

I even brought charges against the Board last June and they still refuse to put together an Ethics Committee to hear them as required by the organization's by-laws. The President says he couldn't find anyone to be on a committee (despite getting names from the charged members as to who they wanted to be on an unbiased Ethics Committee) and we sent him 12 names of people not associated with our group, Water for Humanity (who the Board charged and threw out all the people associated with it), or the Danville Dowsers (whose President the Board removed when his chapter cleared one of the charged Water for Humanity individuals who was a member of their chapter in accordance with the by-laws). At least seven individuals said they would definitely be on a committee and several then followed up and wrote the ASD directly. To date there has been no Ethics Committee formed to hear the charges. The ASD Board had no issues terminating life and regular memberships and charging 17 people on bogus or unknown charges, won't even responding to requests by those charged as to what the charges were for, or follow by-laws for due process to hear the charges they were handing out, however, the ASD Board seems totally unwilling to even follow their own requirements for these charges against them. Thank you again for your efforts!
Sincerely,

Janis Fallon

The American Society of Dowsers
PO Box 24, Danville, Vermont 05828 (802)684-3417 Fax: (802)684-2565
www.dowsers.org asd@dowsers.org

Janis Fallon

[redacted]

November 30 2017

Dear Ms. Fallon,

Thank you for your letter of October 30, 2017. I am currently awaiting a response from ASD's attorneys regarding how much information that you are requesting can be provided to you and the non-members that are in your group. When I get a response from the attorneys, I will relay it to you.

Relative to your ceasing to be the contact person for your group, please forward the name and contact information for the new person. Thank you in advance.

Sincerely,

AMERICAN SOCIETY OF DOWSERS

Alden (Tick) Gaudreau
President

Cornell-Brown, Rowan

From: Idaho Dowsers <idahodowsers@gmail.com>
Sent: Monday, October 22, 2018 3:28 PM
To: Powers, Michael
Subject: Fwd:
Attachments: ASD Response 102218.pdf; ASD Letter 100918.pdf

Mr. Powers, Please note the email addresses of those who signed Janis Fallon's ethics charges as well as the email addresses of the non-charged Trustees. FYI, Amelia Loomis

Begin forwarded message:

From: Janis Fallon [redacted]
Subject: Fwd:
Date: October 22, 2018 at 11:53:02 AM MDT
To: CHERINE CHAGNON [redacted], Susanne Dillon [redacted], [redacted] Holly Richardson [redacted] "Kathy O'Reilly" [redacted] Marilyn Gang <mgang@dowsers.info>, Melinda Vieux <mvieux13@gmail.com>, Merrill Cook [redacted], EWA Rebecca Gurland [redacted] Glen Johnson [redacted], Mary Fitzgerald [redacted] WIlliam Getz [redacted] Barbara Herzog McMaster [redacted] Lorna Reichel [redacted] W Don Black Seattle Dowsers [redacted] Adhi Two Owls [redacted] ennifer anderson [redacted] EWA Jean McDonald [redacted] Idaho Dowsers <idahodowsers@gmail.com>, Steven Herbert [redacted]

Below please see the ASD letter and my response. A copy was also sent to the Attorney General.

Janis

---------- Forwarded message ---------
From: **Janis Fallon** [redacted]
Date: Mon, Oct 22, 2018 at 1:51 PM
Subject: Fwd:
To: <tick@dowsers.org>, <leedra@dowsers.org>, <r.louise@dowsers.org>, <mark@dowsers.org>, <d.arseneau@dowsers.org>

I received my letter from the ASD Saturday and am attaching my response to it. I have only sent this to the uncharged Trustees as for the reasons explained in my response, the Ethics Charges remain pending as actions to drop them by the charged Trustees were illegal. I am requesting that the uncharged Trustees have an independent Ethics Committee review the charges, reinstate all the life and other members wrongfully terminated, and cease any retaliation against those signing the charges for whistleblowing.

Thank you.

Janis Fallon
ASD Life Member

NAES

[redacted]

October 22, 2018

American Society of Dowsers
184 Brainers St.
PO Box 24
Danville, VT 05828

RE: June 14, 2017 Ethics Charges
Sent via U.S. Mail Certified, Return Receipt #70180680000061186161
Also sent via email to: tick@dowsers.org, Leedra@dowsers.org, r.louise@dowsers.org, mark@dowsers.org, d.arseneau@dowsers.org

Dear ASD Board Trustees Tick Gaudreau, Leedra Yablonsky, Roxanne Louise, Mark Hurwich, Dan Arseneau:

I am writing in regards to a letter I received dated October 9, 2018 from charged Trustee and current American Society of Dowsers ("ASD") President Lee Ann Potter indicating that the ethics charges filed in June 2017 were dropped against the charged Trustees without following ASD's bylaws and Vermont State Law. For the reasons cited below, I believe that the 42 charges filed June 14, 2017 against current Trustees Lee Ann Potter Marty Lucas, Sandra Isgro and Keith Schaffer and former Trustees Annette Weise, Sandra Ruelke, Diane Bull and Kevin O'Brien are still in effect and require hearing by an independent ethics committee. As charged Trustees cannot participate in the process when charges are pending against them, I have sent this response to the uncharged ASD Trustees.

The ASD bylaws that have been available to members on the ASD website up until recent illegal changes in June 2018 state that they were current through the 4/2017 membership ballot ratifications. These bylaws state in Chapter XV Section 2 Disciplinary Process:

> "In cases where the complaint is against a Trustee of Executive Officer of ASD and initiated by a member in good standing, the Board of Trustees will appoint an independent committee composed of at least three members to ideally include former trustees in good standing to conduct an investigation so as to avoid any possibility of the appearance of a conflict of interest or favoritism. In addition, the Trustee or Officer against whom the complaint has been brought will refrain from making decision relating to the complaint until the investigation is complete. In cases where the complaint is not against a member of the Board of Trustees, the Ethics Committee shall be the Full Board of Trustees. Ratified by Membership 4/2015 Ratified by Membership 4/1/17"

1. Based on the ASD bylaws an independent Ethics Committee is required to hear the charges filed on June 14, 2017 against Trustees and Officers of the ASD. The letter dated October 9, 2018 incorrectly states that the Board of Trustees can be the Ethics Committee for charged Trustees and Officers. In addition, charged Trustees may not make any decisions related to the complaint until the investigation is complete.
2. In 2017 ASD President Alden Gaudreau established an Ethics Committee to hear the charges against the Trustees filed on June 14, 2017.
3. At the March 27, 2018 board meeting charged Trustee Marty Lucas made a motion to drop the charges (seconded by another charged Trustee). President Gaudreau indicated that the charges

were required to be adjudicated by an Ethics Committee and refused the motion since it was contrary to the bylaws. He stated that the Ethics Committee members were reviewing the charges. President Gaudreau indicated that the ASD would be taking on liability for not following the ethics rules. He indicated that the ASD lawyer also had stated per Vermont law an ethics committee was required and ASD's attorney was going to provide an opinion in writing on the number of people under Vermont State Law required to be on the Ethics Committee. President Gaudreau offered to work with the Ethics Committee to try and get them to make a determination within 6 weeks. The Bylaws prohibited the charged Trustees from being involved in decisions relating to the charges against them, so it was highly improper and a violation for the charged Trustees to bring motions to drop charges against them.

4. At the time of the June 14, 2018 annual Membership meeting at the annual convention in New Paltz, New York President Gaudreau abruptly resigned, reportedly as he refused to take unethical actions that the charged Trustees were requesting.

5. In the June 14, 2018 Board Meeting (meeting minutes available on the website) held prior to the annual membership meeting, acting President and charged Board Trustee Lee Ann Potter confirmed that at the annual meeting she would introduce charged Trustee Marty Lucas who would describe the process to be used for the Ethics Committee formation. As there was an Ethics Committee in the process of hearing charges it is unclear why charged board Trustees would be involved and handling discussions as this is prohibited by the bylaws. This would appear to be a conflict of interest and a premeditated plan to drop charges against them in violation of the bylaws and Vermont State Law.

6. In her letter dated October 9, 2018 charged Trustee President Lee Ann Potter states that the Board of Trustees determined that the Membership would act as the Ethics Committee. As this would require a Board vote there appears to have been no vote by the Board. Board minutes do not reflect a vote and Vermont State Law 11B V.S.A. §8.21(a) require that actions taken without a meeting must be taken by all members of the board and evidenced by written consents describing the actions taken, signed by each director, and included in the minutes. No minutes through the date of the annual meeting reflect this Board action. The ASD Trustees ceased providing notice of Board meetings or making minutes available to members since June 15th as required by State Law. Again it appears that only charged Trustees where involved and were taking steps to violate State law and ASD's bylaws to prevent the charges from being heard against them.

7. Charged Trustee and President Lee Ann Potter in her October 9, 2018 letter also states that on May 8, 2017 notice was sent to the Membership regarding the Annual Meeting and that ethics charges would be discussed. Vermont State Law (11B V.S.A. §7.05) requires notice be given of meetings to members in a fair and reasonable manner. The notice must include a <u>description</u> of any matter or matters which must be approved by Trustees. 11B V.S.A S7.01(d) provides that Trustees shall consider and act upon such matters as may be raised consistent with the notice requirements of §7.05. The annual meeting notice was invalid as it did not describe the ethics charges to be discussed nor that there was to be a vote to drop the charges against the Trustees. No information packet was provided with the notice either that included a description, making the notice and subsequent vote invalid.

8. Charged Trustee and President Lee Ann Potter said the annual meeting vote was governed and managed in full accord with democratic principles. A small number of the entire membership was present at the annual meeting, members were not aware of the charges and were not given copies of the charges or an opportunity to review them. Charged Trustees Marty Lucas and Lee

Ann Potter coerced and threatened the membership that if they did not immediately vote to drop the charges against the charged Trustees that they would quit immediately – leaving the convention, bank accounts, employees, and organization. This was certainly not a democratic process. The bylaws require the independent Ethics Committee review the charges, there is no provision for the membership to vote on the charges. Also charged Trustees are not permitted to be involved in any decision related to the charges.

9. The annual meeting vote was invalid as the ASD Trustees also refused to provide a membership list as requested in 2017. Vermont State Nonprofit Corporations Law 11B V.S.A. §7.20 requires that upon request a list of members be provided upon written demand so that members can discuss actions to be discussed at a general meeting prior to the meeting. I am objecting to the ASD's refusal to provide a list which also affects the validity of any action taken at the 2018 annual meeting. Vermont Law also provides for court action for failure to provide the list as well as documentation required by laws to be made available to members upon request with all costs and legal fees paid by the ASD.

10. The annual meeting vote was invalid as no quorum was present as required by the ASD bylaws and Vermont State Law. ASD bylaws state a quorum is when a simple majority of the entire membership is present. As ASD has indicated it has almost 2,000 members a quorum was not present at the 2018 annual meeting. If there is no quorum at the meeting then the bylaws state that a majority vote is required, contingent upon ratification by the full membership. A ratification ballot must be mailed to the full membership no later than 60 days following the General Meeting returnable 45 days from the postmark. Vermont State Law also contains the quorum requirements and ratification ballot be sent to the full membership. There was no quorum of the entire membership present at the meeting and no ratification ballot was mailed to the entire membership within 60 days after the meeting. This also invalidates any vote at the 2018 annual meeting.

11. The charged Trustees have indicated their intent to retaliate and have started retaliating against ASD members who signed the charges. At the 2018 annual meeting charged Trustees indicated their intent to terminate memberships of those filing charges against them. At the board meeting on June 15, 2018 day charged Trustees said they were going to send letters to all those signing the charges and this was to be led by charged Trustee and President Lee Ann Potter. Letters have been sent to all those signing except Janis Fallon demanding that by 11/2 all the signers (including those no longer members) must respond that they were aware of the charges and signed them. I have offered to provide the Attorney General all the documentation showing requests of members to sign the charges and emails providing drafts and final copies of the charges to all those signing the charges.

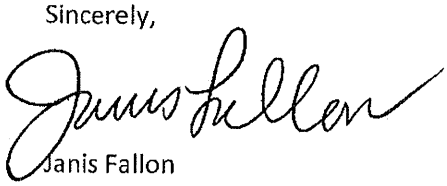
Besides these actions by charged Trustees to have charges dropped against them against Vermont State Law and ASD's bylaws other illegal actions continue by these charged Trustees since the charges were filed. Bylaws dated June 2018 have appeared on the ASD website. Previous board minutes indicated charged Trustee and President Lee Ann Potter was working on them. These changes have not been ratified by the membership despite them removing the disciplinary process out of the bylaws and taking away almost all membership rights. Vermont law (11B V.S.A. §6.31) requires that the Articles of Incorporation or bylaws include a procedure for Termination, Expulsion and Suspension of Members. This procedure must be fair and reasonable which the draft in the Procedures and Policy Manual developed by charged Trustee and President Lee Ann Potter are not. In fact, whistleblowing in the ASD Manual is now considered discipline.

The ASD board has not addressed those Trustees who wrongfully terminated many memberships without due process required in the bylaws and by Vermont State Law, including numerous life membership assets valued in the thousands of dollars. Violations of State law and bylaws have increased by charged Trustees since the charges were filed and will be addressed separately.

As such the uncharged ASD Trustees are requested to have an independent Ethics Committee complete their review of the June 14, 2018 charges, reinstate those whose memberships were wrongfully terminated by the charged Trustees and stop all retaliation against the complaint signers for whistleblowing.

Thank you.

Sincerely,



Janis Fallon

ASD Lifetime Member

Cc:

Vermont Attorney General

Vermont Department of State

Internal Revenue Service

The American Society of Dowsers

PO Box 24, Danville, Vermont 05828 (802)684-3417 Fax: (802)684-2565
www.dowsers.org asd@dowsers.org

October 9, 2018

Janis Fallon
[redacted]

Dear Ms. Fallon:

This letter is in response to your letter sent to the Board of Trustees on June 14, 2017. In the letter, you charged all but two of our Board of Trustees with several ethics complaints. As you know, Chapter XV, Section 2 of our by-laws require ethics complaints to be adjudicated by our Board of Trustees acting as an ethics committee. Because the Board of Trustees was the subject of your complaint, it could not act as the ethics committee as directed by the by-laws due to the conflict of interest. There are no provisions in the by-laws, which set forth a means of handling ethics complaints against the entire Board of Trustees.

After much thought and deliberation regarding how to best handle this matter, the Board of Trustees determined that the membership, in a duly noticed meeting, should handle the complaints, acting as the ethics committee. As set forth in Chapter VI, Section 1, "this Society shall be governed and managed in full accord with democratic principles. The governing powers shall generally be exercised by the Members in a General Meeting." Furthermore, the Board of Trustees is accountable to the Membership.

On May 8, 2018, notice was sent to the membership regarding both the Annual Membership Meeting to occur on June 14, 2018 and the fact that ethics charges would be discussed at that meeting. On June 14, 2018, your charges, as set forth in the letter, were raised and reviewed at the Annual Membership Meeting. After discussion, a motion was made, seconded and approved to dismiss all the charges.

Very truly yours,

Lee Ann Potter, President

Cornell-Brown, Rowan

From: Janis Fallon [redacted]
Sent: Thursday, October 18, 2018 3:40 PM
To: Powers, Michael
Subject: Fwd:
Attachments: ASD2.jpg; ppm06112018.pdf; ASDByLaws102017.pdf; ASDByLawsupdate 07252018.pdf

Recently the American Society of Dowsers board has been sending letters out to those bringing the charges against them in June 2017. I attached a photograph that one person has received. I also am supposed to be getting a letter but cannot be at home during the day and the post office will not deliver it unless I am there to sign for it. I sent an email to the ASD board requesting a copy but so far they have not responded. So I am not sure if they are bringing formal charges against me to terminate my membership for whistleblowing or what is in the letter. Based on their discussion at the 2018 annual meeting it appears their intent is to bring charges against myself and those who signed the charges against them and terminate our memberships in retaliation. The signers include a number of life members, including myself, who have spent thousands of dollars on our life membership.

I did some research and found the ASD had done a bylaw change in June that was not ratified by the membership as required that I wanted to share with you as it seems like they were setting up some things before our letters went out to make it easier for them to terminate our memberships for whistleblowing.

I attached the past bylaws and ones revised in June 2018 that are currently posted on the ASD website, as well as the ASD Policies and Procedure Manual updated in June by the ASD. The State nonprofit law requires that the bylaws have in them (or articles of incorporation) a termination procedure for members that is fair and reasonable and provides due process. Well, ASD took it out of the bylaws in June 2018! Now they have a huge section in their policy and procedures manual under discipline (including whistleblowing is now under discipline) - which pretty much lets the Board throw out charges, decide them themselves, not even let anyone know what was decided, and go after anyone filing charges! Bylaws and State law require ratification of changes to the bylaws by members especially those affecting their rights, but itt was not voted on at the annual meeting and I haven't seen any mailing of a vote for the bylaw amendments ASD also changed the bylaws so the board can make amendments and they are effective immediately and good <u>until and unless</u> the membership doesn't ratify the change at the time they get around to (or if they even do) distribute it to members to vote on. For me this seems a major change to take away any membership rights, due process, and gives the Board complete control to do what they want.

Anyways, so then I wondered what else has the current ASD board done illegally since we filed the charges and came up with a list after a quick look at bylaws and Vermont nonprofit law. The ASD Board seems to be more flagrantly and openly violating laws and bylaws and things are getting worse.

1. No Ethics Committee meeting held to hear charges filed in 2017 as required by the bylaws, charged board member Marty Lucas tried at a board meeting before the June annual meeting to make a motion to drop charges against them (Tick as president refused), then charged board members Marty Lucus and President Lee Ann Potter brought it up and threatened members to quit at the annual meeting and had them vote to drop charges (though no one had read the charges or were aware of them and it is not permitted by the bylaws in any event). ASD has not taken any steps to address the illegal actions raised in the charges or to reinstate all the members they terminated that are addressed in the charges that never had due process or even knew what the charges were against them. Again this includes life memberships that costs thousands of dollars. .
2. ASD has failed to provide any notices of board meetings since June or provide minutes to membership. No one has any idea what the board is doing or what is going on in the organization.
3. ASD still won't provide requested documentation from 2017 even though State and IRS law require it.

4. ASD still has not accounted for Water For Humanity donations from donor requests. I got a letter basically we spent your money (which I have been told was not true) and can do what we want anyways.
5. We have no idea what Water for Humanity funds are being used for or if there is any money left. In board minutes before June there was discussion to just give it away to an organization that had nothing to do with dowsing or similar wells/water type projects as in the Fund's mission and purpose. ASD refuses to provide information on what the money is being used for, there are no reports, the Board does not follow the requirements in their policy and procedure manual for the Fund, there is no WFH committee set up except for 1 person, and the board is spending the money themselves.
6. ASD is refusing to provide financial information to the membership. It is also required to be discussed at board meetings, but the board gets monthly financial reports from the treasurer ahead of the meeting and during board meetings (at least before they stopped posting minutes after mid-June) just say approved without any discussion, and the ASD board will not release any financial information to members as required.
7. Numerous IRS 990 violations were found when reviewing 990's (we sent you a copy of our IRS complaint).
8. ASD appointed new board members above the total permitted by law to be appointed without election.
9. ASD does not do required annual financial audits per the bylaws. A 2016 CPA audit was received by the board March 2017 and to date they still refuse to release it. No other financial audit has been done after or prior to that for years (I don't count the Lee Ann Potter 2016 one as that was not a financial audit and was solely to throw out Water for Humanity members and take over the fund).
10. Board members are receiving compensation over amounts permitted by law. The former president Ticek Gaudreau had brought up on a board meeting that over 49% of the board members were giving workshops/speaking at the convention and getting compensation. We don't know if they got other compensation such as free or reduced cost tables as well.
11. ASD is not following the election nominating committee and requirements.
12. ASD still has a trust fund not following all the requirements in the bylaws for oversight, investment and distribution. ASD still refuses to even provide information on how much is in the fund.
13. ASD does not provide packets of information and a detailed agenda and on what is to be voted on 35 days prior to the annual meetings as required. Members get a packet at the door so they have no time to review any information. Much of the information provided is brief and provides little information. There is no information provided on what will be voted on.
14. ASD also refuses to provide the membership list which is required to be released including prior to an annual meeting (or at any time) if requested so members can discuss what is to be presented at the meeting or inform the membership.
15. Annual meetings require a quorum for votes which is based on a percentage of the entire membership being present. If this number is not present then a ballot has to be sent within 60 days following the general meeting to all the membership. If there is no quorum present then you can't even vote on anything that wasn't described in the pre-meeting packet that has to go out to the membership 35 days prior to meeting. There hasn't been a legal quorum for years at annual meetings and there has never been a ballot sent out for anything voted on at the annual meeting.
16. ASD continues to not account for chapter or conference income in its 990s or financial reports as required by the IRS.
17. If board members take action outside of meetings that should be voted on at a board meeting, then they have to have written consent to the action signed by all board members so not only 1 or 2 board members can take actions. There were 4 new board members appointed by the board after the June meeting to avoid elections and we believe they are not all aware of what the President and charged board members are doing. One new board member was asked if she was aware of the charges and she said they were not and had not been given any copies of charges.

We do not know what else to do and seek your assistance in stopping the ASD board from retaliating against those of us who have been trying to get then to just follow the laws and bylaws and reinstate those they wrongfully terminated. It appears the rest of us are going to be thrown out for whistleblowing and bringing up issues and illegal acts. Thank you so much for all you have done! If you would like to speak with me, please call me at (518) 935-7889 or email me.

Sincerely,

Janis Fallon
ASD Life Member
[redacted]

My email to the current ASD board to get a copy of the letter they sent to me by return receipt that I cannot be at home to get during the day:

Mon, Oct 15, 5:40 PM (3 days ago)

Janis Fallon [redacted]

to bookkeeper, president, sandi.isgro, mlucas, tick, leedra, r.louise, mark, d.arseneau, locator,

I understand the current ASD board is trying to send me a letter. Please email it as I am not home before 5 and the post office won't deliver it on Saturday nor can I take off time from work to get to the main post office during their limited hours. The PO said I must be here in person to sign for it, so I am unable to receive your letter.

I would love to receive it as I understand it is the start of planned retaliation against those signing the charges against current and former ASD board members for whistleblowing and reporting violations of state and federal laws and ASD bylaws to regulatory agencies. I am more than happy to respond to the current board members who are starting this action if you can email me the letter.

Thank you,

Janis Fallon
Lifetime Member

Sent from my iPhone

Cornell-Brown, Rowan

From: Idaho Dowsers <idahodowsers@gmail.com>
Sent: Monday, June 11, 2018 3:12 PM
To: Powers, Michael
Cc: Janis E. Fallon, Esq.; Dreama Brower; Idaho Dowsers
Subject: Fwd: American Society of Dowsers
Attachments: 6.11.18MPowers.pdf

Dear Mr. Powers, attached is a document responding to your inquiry. Please let us know how we can be of any further assistance.

Amelia "Amy" Loomis
Dreama Brower
Janis Fallon, Esq.

Begin forwarded message:

From: "Powers, Michael" <michael.powers@vermont.gov>
Subject: American Society of Dowsers
Date: June 1, 2018 at 12:14:42 PM MDT
To: Idaho Dowsers <idahodowsers@gmail.com>

Good afternoon, Ms. Loomis.

I wonder if you could provide the following information:

1, On the 59th page of the 2017 complainant against ASD by Attorney Janis Fallon, there is an allegation of conflicts of interest in the ASD. The example given relates to one ASD official contracting with his sister for graphic design and printing.

Are there any other examples of such conflicts you are aware of?

2. There is a claim that half or more of the board members have a financial interest in ASD. Can you expand on that?
3. If the option were presented, are you and the others who lost membership in the ASD interested in reinstatement?

I hasten to ad that none of the questions above implies a particular resolution.

Thanks very much.

Michael T. Powers
Investigator
Vermont Office of the Attorney General
109 State Street
Montpelier VT 05609-1001
802-828-0096
michael.powers@vermont.gov

PREFACE

A professional society is organized to accomplish certain definite purposes for its members. In order to do so the organization must be governed in its work by established policies and procedures. POLICIES are guiding principles and PROCEDURES are the working methods by which the Policy is executed.

1. In the formulation of policy the following fundamental facts must be considered.
    a. The Members are the Society and the Society belongs to them.
    b. The Board of Trustees, elected by the Membership and acting on their behalf, administers the affairs of the Society.
    c. The Board of Trustees, in response to the desires and wishes of the Membership, establishes the overall policies of the Society and keeps the policies adjusted to meet the changing conditions.
    d. Once policy is established, it is the duty of the Executive Officers of the Society to carry out that Policy.
    e. It is not the duty or responsibility of any one member, trustee or officer to formulate overall policy for the Society by him or herself.

2. The Society's Articles of Incorporation and By-Laws form the foundation of many policies and many procedures which govern and proscribe the Society in its day to day operation. While these documents offer general guidance, they do not cover many points which are desirable for the Policy Statement to include. It is well that a Policy Statement be written out so that policy may be known to all in terms that will be understood and applicable to the situation at hand. Writing out a Statement of Policy has several advantages. In the first place, the sheer exercise of expressing the statement in writing can invoke greater care and precision in its exposition. Also, the written word permits careful study, increasing the probability that, in its final form, the statement accurately reflects the thinking of those who established the Policy.

3. Policy-making is a dynamic, ongoing process. Policies are made as the Society considers all factors and influences and may or may not endure as conditions change. As circumstances change and policies become obsolete they should be restudied by the appropriate committee, board, and staff in light of adjustment to new conditions and new precedents. Policy thus becomes a living body of guidelines, evolving as the needs and circumstances of the Society evolve.

4. Policy provides continuity, applying the wisdom and experience of the past to the present and future problems, avoiding a trial and error approach to each incident. Policy contributes to consistency of behavior which makes for a true team effort. It permits the Board of Trustees and Officers to delegate with the knowledge that the Operations Manager can apply the plan of action to specific cases in approximately the way that the executives would act under similar circumstances. When a plan of action is applied repeatedly, the quality of decision making is improved up and down the line, leaving the President and/or Board of Trustees free to cope with the truly exceptional situations. Policy helps support morale and motivation when each person knows what is expected of him or her. It also supports individuals when they know that their actions are being supported by Policy.

EMPLOYMENT POLICY

PREFACE

Any Employment Policy, Job Description, or Personnel Handbook is considered to be a legally binding contract by the State of Vermont.

1. The American Society of Dowsers, Inc. (ASD) is an "equal opportunity" employer.

2. All employees who, in the pursuit of their duties as employees of ASD, have significant contact with the Members of ASD, prospective Members and/or the general public, shall be persons who enjoy contact with people and are warm, friendly, tolerant, cooperative, and outgoing ready communicators.

3. Also, all ASD employees, who as aforesaid, have significant contact with the ASD Membership, prospective ASD Members and/or the general public, shall be highly motivated in regard to dowsing and have a strong, positive attitude in respect thereto. This is not to be construed as meaning that such employees must be dowsers, but they must have a sincere belief in the reality of dowsing as a fact of life and project this attitude without equivocation. It would seem to be essential that ASD have employees who believe in what they are hired to promote.

4. ASD highly values creativity in its employees. Much job unhappiness is caused by failure of an employee to do more than is required. An employee who is only concerned with what ASD can do for him or her, not what he or she can do for ASD is undesirable. A person who generates enthusiasm soon finds plenty to be enthusiastic about. It is the Policy of ASD to reward the employee who focuses attention on the positive aspects of the job and contributes as much as he or she is capable of contributing. ASD tries to make its employees feel a vital part of ASD not mere servants or hired help working for a meal ticket.

5. An underlying attitude of primary importance is trust between employers and employees. Neither should be the exploiters nor the exploited. Both should work toward the mutual trust that their common goal is quality. This is truly basic ASD Policy.

GENERAL POLICY

1. The President of ASD, as of course, acting for the Trustees and the ASD Membership, has primary jurisdiction over all ASD's Headquarters Staff, both paid and unpaid.

2. All employees and staff, paid and unpaid, report to and are under the immediate jurisdiction of the Operations Manager.

3. The Operations Manager in collaboration with the President shall work up detailed "Job Descriptions", as needed, of the day to day work of all employees, including the Operations Manager.

4. Within the ASD Headquarters and staff personnel, any problems, complaints or suggestions by the staff shall be made to the Operations Manager initially.
   a. If the staff member is dissatisfied with the results of that meeting, then the staff member is to communicate with the Personnel Committee for a review of the situation.
   b. Once contacted, the members of the Personnel Committee shall examine the facts and discuss the issues. They shall render their recommendation, within no more than ten (10) business days after having been contacted, to the President.
   c. The President shall then have the ultimate decision. This decision shall be communicated promptly to the staff member bringing the problem, complaint or suggestion to the attention of these individuals.

5. A monthly contribution by the Society, not to exceed Seventy five dollars ($75.00) per permanent employee, toward group medical insurance coverage, has been approved if the employee so elects to have the coverage. Any premium balance over Seventy-five dollars ($75.00) will be withheld from the employee's salary or wages and the total premium paid by ASD.

6. When on ASD business, employee owned vehicles will be reimbursed at the current IRS Rate for business miles.

7. All members of the staff shall be available to work during the Annual Convention time, without exception.

8. All members of the staff are to assist with answering the telephone.

9. Contract Employees, Temporary Employees, and Volunteer Workers will not be granted sick leave or annual leave.

WHAT THE EMPLOYEE CAN EXPECT FROM ASD

ASD will:

1. Operate an economically successful non-profit organization and business so that a consistent level of steady work is available.

2. Select people on the basis of skill, training, ability, attitude, and character without discrimination in regard to sex, color, race, creed, national origin, religious persuasion, marital status, political belief, or disability that does not prohibit performance of essential job functions.

3. Provide paid vacations and holidays to all eligible employees.

4. Pay all employees according to their effort and contribution to the growth and success of ASD.

5. Develop competent people who understand and meet our objectives, and who accept with open minds the ideas, suggestions and constructive criticisms of fellow employees.

6. Assure employees, after talking with the Operations Manager, an opportunity to discuss any problem with the Personnel Committee or Officers of ASD.

7. Make prompt and fair adjustments of any complaints which may arise in everyday conduct of our business, to the extent that it is practicable.

8. Respect individual rights and treat all employees with courtesy and consideration.

9. Maintain mutual respect in our working relationship.

10. Provide buildings and offices that are attractive, comfortable, orderly and safe.

11. Promote employees on the basis of their ability and merit.

12. Make promotions or fill vacancies from within ASD whenever possible.

13. Keep all employees informed of the progress of ASD as well as the Society's overall aims and objectives.

PERMANENT EMPLOYEES INFORMATION

1. Permanent Employees who have been in the employ of ASD for more than three (3) months, receive an average day's pay for legal holidays. Legal Holidays are:

New Years Day	January
Martin Luther King's Birthday	January
Presidents' Day	February
Memorial Day	May
Independence Day	July
Labor Day	September
Columbus Day	October
Veterans Day	November

Thanksgiving	November
Christmas	December

2. When a legal holiday falls on a Saturday, the holiday will be taken on Friday. If a legal holiday falls on a Sunday it will be taken on Monday.

3. All permanent employees shall be allowed one (1) day per month for illness, not to exceed a cumulative of twenty-four (24) days. Sick leave is only for the purpose of illness of the employee or their immediate family.

4. One (1) day per year with pay is allowed as a Personal Day.

5. After hiring, a permanent employee shall consider the first three (3) months a probationary period.

6. The first review of performance, duties, and wages will be made after the probationary period and annually thereafter by the Operations Manager or President who will notify the Personnel Committee.

7. Paid vacation may be taken after one (1) year of employment, not to exceed one (1) week for the first year. In subsequent years the permanent employee may take up to two (2) weeks paid vacation after three (3) years employment, three (3) weeks paid vacation after five (5) years employment, and four (4) weeks paid vacation after ten (10) years employment.
    a. An employee may not accrue more than two (2) months vacation.
    b. Vacation time will be prorated through the year.
    c. Regular vacations should be requested two (2) weeks in advance.
    d. Vacations will be taken with the approval of the Operations Manager after consideration of annual workload.

8. The hourly wage or salary of permanent employees is to be established within the limit imposed by the budget approved by the Board of Trustees, by the Operations Manager and the Personnel Committee. Overtime pay will be set as required by Vermont State and/or Federal Laws.

9. A permanent employee is allowed two (2) days Bereavement Pay for the death of immediate family.

*10. ASD shall offer a 403(b) Plan to all employees who have completed the three month probationary period. This plan is described by the following provisions and American Century's booklet, "Information About Our Tax-Deferred Retirement Plan".

a. ASD will offer this plan through American Century. Voluntary contributions may be made into an established account. These contributions are pre-tax contributions and will be withheld from the individuals paycheck upon completion of a 403(b) Salary Reduction Agreement. If the 403(b) option is selected, ASD will match the employee's voluntary contribution up to and including 2% of the individuals gross paycheck. The employer contribution shall be placed in a separate account. Monthly payments will be made to the two accounts (employee/employer) by ASD. The employee may choose from the funds offered by American Century. Each employee may have no more than two funds for voluntary contribution accounts established through this plan.

b. An ASD employee must be in the employ of ASD no less than five years from the date that the first payroll deduction is made to be eligible to receive the employer contribution portion of the plan. After five years have lapsed, the employee is considered "vested". If the employee leaves ASD before being vested, the employer account for this individual will be transferred to ASD's own organizational Mutual Fund account with American Century. If the employee dies before five years have lapsed, the entire employer contribution

will be transferred to the employee's account. Employer approval will be required before any exemptions or transfers can be made from these accounts by the employee.

c. ASD shall provide each employee taking advantage of this plan with a copy of the American Century booklet "Information About Our Tax-Deferred Retirement Plan" of which pages 26-36 constitute the "Plan Document". ASD shall also provide each interested employee with a Plan Application and a 403(b) Salary Reduction Agreement. Fund prospectus information will be provided to each employee to assist with fund selection. * Approved by Personnel Committee 1/20/98

11. Termination of permanent employment is at the discretion of either party. A minimum of two (2) weeks notice is requested upon a permanent employee's decision to leave the employment of ASD and two (2) weeks pay will be given upon termination by ASD.

12. Every effort will be made to retain permanent employees.

13. The Personnel Committee is to serve in the capacity of a Grievance Committee

AUTHORIZED EMPLOYEES (may change as conditions require)

1. Four (4) permanent employees.
   A. Operations Manager
   B. Bookstore Manager
   C. Assistant to Operations Manager/ Office Correspondent (ADO) D. National Chapter Secretary/ Office Correspondent

2. Contract Service Employees

3. Temporary Employees

4. Volunteer Workers

**SALARIES AND WAGES

Director of Operations:	*	$23,020 through $33,090 per year
Bookstore Manager:	*	$9.00 through $14.07 per hour
Assistant to Director of Operations:	*	$7.61 through $10.87 per hour
National Chapter Secretary	*	$7.61 through $10.87 per hour

*Approved by Personnel Committee and Board 4/19/2000

TEMPORARY AND CONTRACT SERVICE EMPLOYEES

1. The Operations Manager may, within the limits imposed by the budget, the content of ASD's Employment Policy, and any administrative restraints, hire Temporary and/or Contract Service Employees to fill definite needs, and upon such terms as said OM deems most advantageous to ASD.

2. Temporary and/or Contract Service Employees may also be authorized by the Board of Trustees for particular projects and will receive compensation.

3. Temporary and/or Contract persons will not receive paid vacation or sick leave.

VOLUNTEER WORKERS

Volunteer Workers donate their time and services.

JOB DESCRIPTIONS

OPERATIONS MANAGER (OM)

1. The OM is in charge of day to day affairs of the Society and has the administrative responsibility for the management of ASD within the jurisdiction of an annual budget and policy established by the ASD Board of Trustees. The OM has general supervision over all ASD employees and the Headquarters physical plant.

2. In addition to the present nonspecific job description the OM shall be responsible for:
   a. Gathering agenda items for Trustee and General Membership Meetings.
   b. Preparing such agendas in a timely fashion.
   c. Mailing the Notice and Agenda of Trustee Meetings and the Annual Membership Meeting within the time specified in the By-Laws. d. Attending all Trustee Meetings.
   e. Responsible for updating the ASD documents. When passed by the trustees they must be entered in PPM within 3 working days, posted on web site and copies sent out to trustees.
   f. Place a copy of the minutes of each trustee meeting as provided by the secretary into the official ASD files. Motions to be highlighted by the Executive Secretary. If minutes are not provided, it is the OM's responsibility to make every effort to acquire the missing documents.
   g. Mailing The American Dowser within seventy-two (72) hours of receipt from the printer.
   h. The Operations Manager and staff shall prepare and keep current a Society Manual for the Board of Trustees that will serve to remind current and new Trustees of their responsibilities and duties. Some of the information contained in this manual should include:
      (1) The ASD Constitution and By-Laws.
      (2) All financial Reports for the previous year.
      (3) Minutes of all Trustee Meetings and the General Membership Meeting for the previous year
      (4) Personnel policies
      (5) An organizational chart of the Society.
      (6) ASD staff members, titles and positions.
      (7) Current Trustees, addresses, telephone numbers, and positions.
      (8) Members and current chairpersons for Standing and Select Committees.
      (9) Dates for trustee meetings and special events set at the Trustee Meeting after the General Membership Meeting.
      (10) Current work schedule for the coming year.
      (11) A brief history of ASD
      (12) A brief description of each service provided by ASD...
      (13) A detailed description of all program goals and objectives.

(14) Any other pertinent information for a trustee.

3. The OM, in collaboration with the President, shall work up detailed Job Descriptions, as needed, for the day-to-day work of all employees including the OM.

4. The OM shall be hired by the President of ASD with the advice and approval of the Trustees.

5. When a vacancy occurs in the post of OM, the President shall appoint an Ad Hoc Committee of three (3) ASD members (preferably Trustees) plus the resigning OM, if available, to aid the President in interviewing applicants for the position and arriving at a decision. The President shall present the final decision to the Trustees. This may be done by mail.

6. The OM is under the general oversight of the President, as chief executive officer of ASD, and in the absence of the President, the Executive Vice President exercises this general oversight. It should be understood that the OM is under the supervision of the President or Executive Vice President in the President's absence, not the General Membership or any other individual Trustee.

7. Whenever the OM needs assistance the OM shall contact the President of the Society, who will rely on the fellow Officers and Trustees, as necessary, in dealing with the problem.

8. Review by the Personnel Committee, under direction of the President, of job performance, job description, salary and benefits will be made annually with the initial review to occur three (3) months after hiring. A probationary period of three (3) months is understood to exist after initial hiring.

9. Notice of one (1) month is requested of the Operations Manager if the OM desires to leave the employment of ASD. If terminated by ASD one (1) months pay will be given.

BOOKSTORE MANAGER

1. The Bookstore Manager is in charge of the day-to-day operations of the ASD Bookstore within the jurisdiction of the policies and budget established by the ASD Board of Trustees and is responsible directly to the Operations Manager.

2. The Bookstore Manager is responsible for insuring the profitable operation of the ASD Bookstore, while establishing and insuring complete customer satisfaction.

3. The Bookstore Manager is responsible for operation of the Bookstore from 9:30 a.m. to 5:30 p.m. five (5) days a week and having the ASD Bookstore open to the public from 10:00 a.m. - 5:00 p.m. Tuesday - Saturday or other hours as the Operations Manager dictates.

4. Responsibilities also include:
   a. Providing outstanding interface with the public.
   b. Timely processing of all orders received, both mail and in-store
   c. Ordering books and merchandise.
   d. Timely return of excess items.
   e. Maintaining a “well stocked” inventory.
   f. Providing biannual physical inventories in a timely manner.

g. Production of Bookstore catalogs.
h. Promotion of the Bookstore (i.e. sales, specials, advertisements, etc.).
i. Operating the computer and programs to provide:
    (1) Daily, monthly and yearly accounting information.
    (2) Point of sales and inventory data.
    (3) Up-to-date book and merchandise listings.
    (4) Monthly inventory information.
    (5) Other information as required.
j. Maintaining a daily ledger with sales records, deposit spread sheets, bank deposits, and other related activity.
k. Paying all Bookstore expenses (wholesale costs, miscellaneous office expenses, etc.). To create a checks and balance, the signature of the Bookstore Manager as well as the Operations Manager is required on each check written.
l. To provide dowsing books and merchandise for the Annual Convention and managing their sale.
m. Procure supplies for conferences.
n. Keeping the Operations Manager fully informed of operational problems.
o. Other duties as assigned by the Operations Manager.

5. The Bookstore Manager must submit a written report to the Board of Trustees at each of their meetings and at other times as may be needed. These reports are to include pertinent financial information as well as current strategies of the Bookstore.

6. The Bookstore Manager receives wages set by the Personnel Board at the Operations Manager's recommendation and as dictated by the budget.

7. The Bookstore Manager shall offer:
    a. The Beginner's Dowsing Kit with instruction book and dowsing devices (tools, instruments) to all new Members at a special reduced rate (by means of a coupon included with their Membership).
    b. Single copies of the Dowser for sale.

8. In addition to the copy given to the ASD Library, the Bookstore Manager will send to the Editors a copy of every new dowsing book offered by the Bookstore (for review).

ASSISTANT TO OPERATIONS MANAGER (AOM)

1. The position of the Assistant to Operations Manager provides support and assistance to the OM in daily operations. This role will take on tasks which are assigned by the OM and mutually agreed upon to be done by the Assistant as well as perform limited duties of the OM when unavailable. Any other duties as assigned.

2. The AOM will be responsible for everything pertaining to membership. And therefore will also hold the title of Membership Secretary. This includes such duties as:
    a. Processing renewal and new memberships.
    b. Corresponding with members when applicable.
    c. Preparing a dues Renewal mailing and insertion for the Digest.
    d. Maintaining membership files.
    e. Updating computerized Membership Lists.
    f. Preparing List of New Members for the monthly mailings.

3. Other duties include:
    a. Keeping the supply inventory up-to-date
    b. Clerical work.

c. Maintaining a supply of informational material.
a. Helping with the mailings.

4. Most importantly the Assistant to Operations Manager should be readily to assist the OM in any situation and will take on tasks which are mutually agreed upon. Basically, the AOM shall be able to step in when the OM is unavailable.

NATIONAL CHAPTER SECRETARY

1. The National Chapter Secretary shall be responsible for correlation of all chapter materials. This includes such duties as:
    a. Answering all correspondence pertaining to Chapters and potential Chapters.
    b. Initiating and sharing suitable ideas and programs with Chapters through mailings.
    c. Submitting all current chapter information to the editors of the American Dowser and Dowsers Network, including a column of news items concerning the Chapters and their members.
    d. Copying all material for monthly mailings on 8 ½ x 11 inch paper.
    e. Collation and posting of regular monthly mailings.
    f. Preparation of National Chapter Secretary reports for Trustee Meetings, as scheduled.
    g. Facilitation of ASD sponsored or other workshops after arrangements for use of facilities and financing have been worked out with the OM.
    h. Presentation of new Chapter Charters to the Board of Trustees for approval.

2. Awards for outstanding Chapter and Outstanding Chapter Member are to be given by the National Chapter Secretary.

3. Attendance
    a. The National Chapter Secretary is required to attend the Annual Convention.
    b. The National Chapter Secretary is not required to attend any Trustee Meeting except when requested to do so by the President or the Board.

SHARED OFFICE DUTIES

1. Answering all basic inquiries and/or referring them to the appropriate member.
    a. Correspondence regarding dowsing techniques, dowsing applications and ethics.
    b. Requests for dowsing services with referrals to appropriate chapters, and individual Trustees and or Members.

2. Filing, updating, and preparing monthly Inquiries List.

3. Monthly Deceased Members List, recording members, and notifying appropriate Digest editor.

4. Acknowledging all donations received in writing.

5. Acknowledging, copying, filing, and forwarding to the editors all Digest material received and keeping the proper inventories.

6. Answering the telephone.

7. Helping with Mailings.

8. Making housing arrangements, as possible, during the convention.

9. Preparing information and other materials, researching ASD files for relevant material when necessary.

10. Maintaining a scrapbook and updating the library periodical/pamphlet file.

11. Until a Public Relations Officer is appointed, provide all dues data, and compile files and lists for this purpose. Such data includes a packet of information, general article reprints for press inquiries, and photocopies of previously published material when appropriate.

12. Annual Inventory.
    a. Physical plant - furniture, office equipment and other building contents.
    b. Audio Tapes
    c. Video Tapes
    d. Library

THE BOARD OF TRUSTEES

GENERAL

1. No Board of Trustees is like any other; but there is a common bond. A Board of Trustees has the responsibility of management and control of the affairs, business and property of the American Society of Dowsers, Inc.

2. The Board of Trustees should have in its make up individuals who have time and interest to be active in the workings of the organization.

3. The Board of Trustees, its strengths, involvement, and commitment is the most important determinant to the success of the organization.

4. All Board Members are responsible for interpreting the work of the Society, evaluating its program and services, and helping to provide adequate financing.

5. All decisions, Policies and Procedures made by the Board of Trustees cannot be altered by any person, and can only be altered by another voting Board of Trustees.

6. A face to face meeting if possible will be held between outgoing trustees and the newly elected trustees before the general membership meeting. This meeting will focus on the transition; what new trustees need to be made aware of, how certain duties are preformed and other knowledge learned through experience over the past four years. The outgoing trustees will be available to the new board over a three month period should they need advice on any matter they deem necessary.

RESPONSIBILITIES

1. It is the responsibility of the Board of Trustees to:

a. Trustees are expected to attend all Board Meetings. Unexcused absences of 3 or more are a violation of the Code of Ethics and will result in activation of the Ethics Committee and possible removal from the BOT

a. Define the purpose, goals, and scope of ASD.
b. Develop policies.
c. Assist the OM in establishing and maintaining a sound financial structure.
d. Broaden ASD community understanding and support.
e. See that the Society carries out its purpose and responsibilities.
f. Approve annual budgets for the Bookstore and Headquarters prior to the end of a fiscal year.
(1) The Treasurer shall assist the OM in preparing said budgets.
g. Plan for effective methods of communication between the Board, the administration and staff, and the Membership.
h. Insure staff stability through satisfactory working conditions and personnel policies.
i. Approve all Policy Statements.
j. Assess the quality of the service provided and its value to the Membership it serves.
k. Assess or evaluate the ASD Membership to determine additional needs.
l. Interpret the Society's service to the Membership.
m. Broaden public *and* community support and understanding of the Society and what it represents.
n. Evaluate options for fundraising and obtaining grants.

2. In order to discharge these responsibilities, it is necessary for the Board to uphold the Society's By-Laws as the basic structure for operation of ASD. This includes such duties as:

a. Providing for the selection and rotation of quality officers.
b. Determining eligibility requirements for membership.
c. Defining areas of jurisdiction for the board and staff.
d. Establishing the necessary committees

4. Trustee Reimbursement.

a. All trustees may apply for up to $500 per year for conferences travel expenses as long as funding is available.
b. The President shall be reimbursed for expenses up to Four Thousand Dollars ($4,000.00) per annum to attend ASD approved conferences as long as funding is available.

5. Recognition for service.

a. A retiring Trustee who has served one (4) terms or more will be recognized as Trustee Emeritus in the Membership Roster.
b. Past Presidents shall be granted a Lifetime Membership in ASD with full privileges.

6. There will be no Parliamentarian on the board.

SPECIFIC POLICY APPLYING TO THE BOARD OF TRUSTEES AND/OR HEADQUARTERS

1. Type and mail Amended Minutes (without addenda). Minutes should include the wording of By-Laws changes, exact wording of Policy & Procedure additions or modifications, the amount of approved monies for capital or unrestricted expense and what those monies are for. (8/19/93)

2. Decisions that have been made by the Board of Trustees, if they are altered (In other words, there is varying that decision.) for any reason, the Trustees get notified right away. Communications should also state the reason for the decision. (8/19/93)

3. Budget Caps are not to be exceeded without trustee approval. (8/19/93)

4. Make sure all forms request payment in US funds (8/19/93)

5. Expenditures approved by the Trustees shall not be exceeded except with approval by the whole Board, if time permits, or the executive Committee in an emergency. (8/19/93

ADVISORY GROUP

1. An Advisory Group as deemed necessary of the American Society of Dowsers Inc., consisting of all current and future past Trustees so long as they hold Regular or Honorary Membership in the American Society of Dowsers, has been created by the Board of Trustees with rules, regulations and guidelines compatible with the constitution and By-Laws of the American Society of Dowsers.

2. Such Advisory Group shall be deemed necessary and become activated by the President of the Society.

3. Guidelines for Former Trustee Advisory Group.

   a. Membership in the group shall consist of all living, past Trustees no longer holding any official position in ASD, but still holding regular or honorary membership in ASD.
   b. There will be no special class description within this group. However, the members thereof may elect a chairman and other officers as they desire by a majority vote of their members.
   c. There shall be no limitation on the term of membership in the group so long as regular or honorary membership is maintained in ASD.
   d. All members of the group will receive all notices of meetings of Trustees and agendas thereof, official reports such as Treasurer's, etc. and copies of minutes of all meetings, including regular Annual Membership Meetings.
   e. Prior to meetings of Trustees or Membership Meetings the members of the Advisory Group may send commentary on agenda items to the President of ASD and/or suggestions for new business.
   f. Members of the advisory Group may attend in person any and all meetings of Trustees and enter into discussion of Agenda items and/or may offer new items for discussion, time permitting, after all other business on the agenda has been disposed of, including New Business brought up by Trustees.
   g. The President may call upon the Advisory Group for advice on any matter relative to the proper business of the Society.
   h. Members of the Advisory Group shall have no vote in any ASD mattter except as votes are enjoyed by all regular Members of ASD.

REGIONAL COORDINATOR GUIDELINES

*1. Regional boundaries will be defined by the Executive Vice President.

2. Regional Coordinators shall:

a. Implement and follow through on all directives coming from the Officers and/or Board of Trustees.

b. Act as an intermediary between ASD Headquarters and the Chapters within respective Regional Boundaries.

c. Assist in the formation of new Chapters within Regional boundaries, and the smooth operation thereof. May include memos to chapters regarding current activities and the submission of financial condition to Headquarters.

d. Become available to new members, answer queries about ASD and uphold the dignity of the Society in all dowsing affairs.

e. Promote educational events (conferences, seminars, etc.) both on a local and regional basis.

f. Promote inter-chapter communications for the purpose of guidance to new Chapters and the enhancement of established ones.

g. Act as an arbitrator regarding conflicts of interest which may occur on a local or regional basis that are not in the best interests of the Society.

* Effective 4/20/96

THE AMERICAN DOWSER EDITORS (1988)

1. Your Journal.

The American Dowser, a 72 page quarterly journal, is sent to all members of the American Society of Dowsers world-wide, to various publishers and professional organizations in the United States, and to Forty-one foreign countries in 1988. The first issue, a two page bulletin, appeared in 1961. In 1984 it was cited as the best Special Interest Journal in the field of PSI out of 200 newsletters, periodicals, and journals reviewed by the Parapsychological Association of the American Association for the advancement of Science.

2. Your editors.

The Journal is edited by four non-paid volunteers, each of whom is responsible for one of the quarterly issues. The editor's task is to select and revise submissions, and to prepare them for publication for clarity, length and correct grammatical usage.

3. Your submissions.

a. Submissions of articles, letters, clippings, and photographs should be addressed to: Editor, American Society of Dowsers, Danville, VT 05828. They are sent by Headquarters to the editor responsible for the upcoming issue. Unused submissions are returned to Headquarters and are then forwarded to the next editor. The choice of any one article depends on the other articles available, chosen to create a balanced issue or to enhance a Special Issue. What is suitable for one issue may not be suitable for another. An article may make the rounds of the editors for as many as two years.

b. A writer should always keep a copy of his or her submissions because manuscripts are not returned. Whenever possible submissions should be typewritten double spaced with wide margins. Scientific papers should include a brief summary in layman's terms, at the beginning of the article, and a short profile of the author.

c. After the editor assembles and edits an issue, and readies it for publication (which takes about two months) it is sent to the printer.

4. Your suggestions.

a. The editors welcome your suggestions and try to use them when practicable. One frequent request, for a Question and Answer section, is not practicable for a quarterly journal like ours because the time lapse between receiving a question and publishing an answer may be six months to a year. Questions are best referred to your local chapter. If the exchange is then of general interest, the question along with the answer may be submitted to the Quarterly as a short item or article.

b. Another frequent request is for Basic Instructions for Beginners and for How-to Articles. Actually, the Quarterly, old and new is a treasure trove of dowsing information and pointers and the editors will continue to look for good how-to articles for future issues. But obviously the Quarterly can't keep repeating the same instructions in issue after issue. Beginners are urged to read one of the basic dowsing books available through the ASD Bookstore, to look through old issues (a Digest Index is available at Book and supply for the years 1973 to 1978 and 1979 to 1983), and to get help from your local chapter and at regional conferences. An official Water Dowsers Manual, assembled by retired editor, Maria Perry, containing all articles on water dowsing published in previous issues of the Digest is available through Book and Supply.

GUIDELINES FOR EDITORIAL STAFF

1. The official publication of the American Society of Dowsers is "The American Dowser Quarterly Digest". This publication will be edited, printed, and in the hands of the membership by the following dates:

   a. Winter Issue, second (2nd) week in February
   b. Spring Issue, second (2nd) week in May
   c. Summer Issue, second (2nd) week in August
   d. Fall Issue, second (2nd) week in November

2. The editor of the ASD newsletter (The Dowsers Network) will abide by the following Policy, except, first choice of material will be given to the Digest editors.

3. Responsibilities.

   a. ASD Headquarters Staff

      (1) Receive, date, and log all incoming Digest or Network articles from members.
      (2) Acknowledge receipt of articles via post card to member.
      (3) On a weekly basis, forward all articles received to the current editor.
      (4) Provide editors with post cards so they can acknowledge receipt of articles they receive direct from contributors.
      (5) Place in the "editors' bag" recent copies of publications from organizations which ASD has reciprocal agreements with so editors will have an opportunity to reprint especially interesting articles. This "bag" will be passed from editor to editor except the editor of the Fall Issue will send the "bag" to Headquarters where current editions of each publication will replace the old. Then it will be forwarded to the editor of the Winter Issue.
      (6)) Receive, date, and log all incoming Digest or Network paid or unpaid advertisements. These may be display or classified in nature and must have a relationship to Dowsers and their interests and/or Dowsing Activities. If available space is limited, preference will be given to ASD sanctioned/sponsored functions or activities such as Bookstore activities, conferences and conventions, etc. The Operations Manager shall judge the appropriateness of all advertisements. Headquarters Staff shall provide the editors with the ad copy to be used.

Advertisement rates will be set by the Operations Manager with the approval of the Board of Trustees.

b. Editors

(1) Receive all material intended for publication in the Digest or Network from ASD Headquarters as well as from other sources.

(2) Acknowledge receipt of all material received from individual members via post card which has been provided by Headquarters.

(3) Editors who receive articles directly should send copies to Headquarters who will sequentially number articles that are sent.

(4) Determine which articles will be used for the issue in progress, place all other articles in the "Editors Bag" and forward it to the next editor in line or to Headquarters in the case of the editor of the Fall Issue.

(5) No article will be discarded regardless of subject, style, or clarity until all editors have had an opportunity to consider it for publication.

(6) Once an article has been deemed unsuitable for publication in the Digest or Network by all the editors, the last editor to review the article will notify the person who submitted the article that it is not acceptable.

(7) Each editor should strive to produce a well balanced issue, keeping in mind that the membership of ASD come from all walks of life with educational levels from school dropouts to college professors, and interests from basic dowsing to the most advanced metaphysical concepts.

(9) Controversies pertaining to book reviews or disagreements of any kind between members will not be published in the Digest or Network, nor, will personal political philosophies be editorialized.

(10) Unsigned "Letters to the Editor" which are critical of ASD or its Chapters or Members will not be published. These should be forwarded to Headquarters for consideration and action by the Operations Manager and/or Board of Trustees.

(11) The editors of the American Dowser and Dowsers Network are valued and appreciated for their expertise in producing a quality, informative publication on a timely basis. That is their responsibility and they do it well.

(12) Editors do not receive compensation but will receive reimbursement for out-of-pocket expenses.

(13) From time to time, the editors, as are others, may be asked to provide input for Policy decisions. However, the ultimate responsibility of formulating and implementing Policy rests with the President and the Board.

(14) It is everyone's responsibility to insure that the membership is served and that the organization continues to be a viable, growing, member-oriented Society.

SPECIFIC DIGEST AND NETWORK POLICY

1. A special subscription price for the American Dowser and Dowsers Network used by libraries adopted at Twenty-five Dollars ($25.00) per year.

2. The American Dowser is to include an Instruction Section.

3. Editors of Summer and Fall Digests and the Network are to routinely suggest purchase of Bookstore Gift Certificates and ASD Membership for holiday gift ideas.

4. The Digest and Network will be indexed yearly. Volunteers will be used when possible. Temporary help may be hired by the OM and paid out of unrestricted funds.

5. Chapter News will continue as part of the Digest and the Chapter Directory will appear in every other issue.

6. It is the responsibility of the Editors to have each new dowsing book from the Bookstore reviewed in a timely fashion for publication in the Digest or Network.

7. The Digest will publish once a year, the names of all the dowsers who have received the following awards:
   *a. Register of Recognition
   b. Dowser of the Year (Dowser's Prayer)
   c. Paul Sevigny Award

   *Revised 4/20/96

MISCELLANEOUS POLICY

ASD LIBRARY

Anyone can access the ASD library, only members can check out from library. Added Oct 5, 2007

VISA AND MASTERCARD

ASD will accept Visa and MasterCard for ASD services.

CONFLICT OF INTEREST

Article I: Purpose

This conflict of interest policy is designed to foster public confidence in the integrity of The American Society of Dowsers, Inc. (the "Organization") and to protect the Organization's interest when it is contemplating entering a transaction (defined below) that might benefit the private interest of a director, a corporate officer, the top management or top financial official, or a key employee (defined below).

Article II: Definitions

The following are considered *insiders* for the purposes of this policy:

1. Each member of the Board of Directors or other governing body.

2. The president, chief executive officer, chief operating officer, treasurer and chief financial officer, executive director, or any person with the responsibilities of any of these positions (whether or not the person is an officer of the Organization under the Organization's Bylaws and the Vermont Corporations Code).

3. Any *key employee*, meaning an employee whose total annual compensation (including benefits) from the organization and its affiliates is more than $50,000 **and** who (a) has responsibilities or influence over the organization similar to that of officers, directors, or trustees; **or** (b) manages a program that represents 10% or more of the activities, assets, income, or expenses of the organization; **or** (c) has or shares authority to control 10% or more of the organization's capital expenditures, operating budget, or compensation for employees.

Interest means any commitment, investment, relationship, obligation, or involvement, financial or otherwise, direct or indirect, that may influence a person's judgment, including receipt of compensation from the Organization, a sale, loan, or exchange transaction with the Organization.

A *conflict of interest* is present when, in the judgment of the Board of Directors, an insider's stake in the transaction is such that it reduces the likelihood that an insider's influence can be exercised impartially in the best interests of the Organization.

Transaction means any transaction, agreement, or arrangement between an insider and the Organization, or between the Organization and any third party where an insider has an interest in the transaction or any party to it. *Transaction* does not include compensation arrangements between the Organization and a director, officer, or other insider that are wholly addressed under the Organization's Compensation Policy.

Article III: Procedures

1. Duty to Disclose

Each insider shall disclose to the Board all material facts regarding his or her interest in the transaction, promptly upon learning of the proposed transaction.

2. Determining Whether a Conflict of Interest Exists

With regard to an insider, the Board shall determine if a conflict of interest exists. The insider(s) and any other interested person(s) involved with the transaction shall not be present during the Board's discussion or determination of whether a conflict of interest exists, except as provided in Article IV below.

3. Procedures for Addressing a Conflict of Interest

The Board shall follow the procedures set forth in Article IV in order to decide what measures are needed to protect the Organization's interests in light of the nature and seriousness of the conflict, to decide whether to enter into the transaction and, if so, to ensure that the terms of the transaction are appropriate.

Article IV: Review by the Board

The Board may ask questions of and receive presentation(s) from the insider(s) and any other interested person(s), but shall deliberate and vote on the transaction in their absence. The Board shall ascertain that all material facts regarding the transaction and the insider's conflict of interest have been disclosed to the Board and shall compile appropriate data, such as comparability studies, to determine fair market value for the transaction.

After exercising due diligence, which may include investigating alternatives that present no conflict, the Board shall determine whether the transaction is in the Organization's best interest, for its own benefit, and whether it is fair and reasonable to the Organization; the majority of disinterested members of the Board then in office may approve the transaction.

Article V: Records of Proceedings

The minutes of any meeting of the Board pursuant to this policy shall contain the name of each insider who disclosed or was otherwise determined to have an interest in a transaction; the nature of the interest and whether it was determined to constitute a conflict of interest; any alternative transactions considered; the members of the Board who were present during the deliberations on the transaction, those who voted on it, and to what extent interested persons were excluded from the deliberations; any comparability data or other information obtained and relied upon by the Board and how the information was obtained; and the result of the vote, including, if applicable, the terms of the transaction that was approved and the date it was approved.

Article VI: Annual Disclosure and Compliance Statements

Each director, each corporate officer, the top management official, the top financial official, and each key employee of the Organization, shall annually sign a statement on the form attached, that:

A. affirms that the person has received a copy of this conflict of interest policy, has read and understood the policy, and has agreed to comply with the policy; and

B. discloses the person's financial interests and family relationships that could give rise to conflicts of interest.

Article VII: Violations

If the Board has reasonable cause to believe that an insider of the Organization has failed to disclose actual or possible conflicts of interest, including those arising from a transaction with a related interested person, it shall inform such insider of the basis for this belief and afford the insider an opportunity to explain the alleged failure to disclose. If, after hearing the insider's response and making further investigation as warranted by the circumstances, the Board determines that the insider has failed to disclose an actual or possible conflict of interest, the Board shall take appropriate disciplinary and corrective action.

Article VIII: Annual Reviews

To ensure that the Organization operates in a manner consistent with its status as an organization exempt from federal income tax, the Board shall authorize and oversee an annual review of the administration of this conflict of interest policy. The review may be written or oral. The review shall consider the level of compliance with the policy, the continuing suitability of the policy, and whether the policy should be modified and improved.
*Approved December 17th 2013

Whistleblower Protection Policy

A. Application. This Whistleblower Protection Policy applies to all of the Organization's staff, whether full-time, part-time, or temporary employees, to all volunteers, to all who provide contract services, and to all officers and directors, each of whom shall be entitled to protection.

B. Reporting Credible Information. A protected person shall be encouraged to report information relating to illegal practices or violations of policies of the Organization (a "Violation") that such person in good faith has reasonable cause to believe is credible. Information shall be reported to the President (the "Compliance

Officer"), unless the report relates to the Compliance Officer, in which case the report shall be made to the Executive Committee which shall be responsible to provide an alternative procedure.

Anyone reporting a Violation must act in good faith, and have reasonable grounds for believing that the information shared in the report indicates that a Violation has occurred.

C. Investigating Information. The Compliance Officer shall promptly investigate each such report and prepare a written report to the Board of Directors. In connection with such investigation all persons entitled to protection shall provide the Compliance Officer with credible information. All actions of the Compliance Officer in receiving and investigating the report and additional information shall endeavor to protect the confidentiality of all persons entitled to protection.

D. Confidentiality

The Organization encourages anyone reporting a Violation to identify himself or herself when making a report in order to facilitate the investigation of the Violation. However, reports may be submitted anonymously by filling out a "Whistleblower Reporting Form" and mailing it to The Compliance Officer. Reports of Violations or suspected Violations will be kept confidential to the extent possible, with the understanding that confidentiality may not be maintained where identification is required by law or in order to enable the Organization or law enforcement to conduct an adequate investigation.

E. Protection from Retaliation. No person entitled to protection shall be subjected to retaliation, intimidation, harassment, or other adverse action for reporting information in accordance with this Policy. Any person entitled to protection who believes that he or she is the subject of any form of retaliation for such participation should immediately report the same as a violation of and in accordance with this Policy.

Any individual within the Organization who retaliates against another individual who has reported a Violation in good faith or who, in good faith, has cooperated in the investigation of a Violation is subject to discipline, including termination of employment or volunteer status.

F. Dissemination and Implementation of Policy. This Policy shall be disseminated in writing to all affected constituencies. The Organization shall adopt procedures for implementation of this Policy, which may include:

(1) documenting reported Violations;
(2) working with legal counsel to decide whether the reported Violation requires review by the Compliance Officer or should be directed to another person or department;
(3) keeping the board of directors [and the audit committee or other applicable committee] informed of the progress of the investigation;
(4) interviewing employees;
(5) requesting and reviewing relevant documents, and/or requesting that an auditor or counsel investigate the complaint; and
(6) preparing a written record of the reported violation and its disposition, to be retained for a specified period of time.

The procedures for implementation of this Policy shall include a process for communicating with a complainant about the status of the complaint, to the extent that the complainant's identity is disclosed, and to the extent consistent with any privacy or confidentiality limitations. *Approved December 17th 2013

DOCUMENT DESTRUCTION AND RETENTION

1. Policy and Purposes

This Policy represents the policy of The American Society of Dowsers, Inc. (the "organization") with respect to the retention and destruction of documents and other records, both in hard copy and electronic media (which may merely be referred to as "documents" in this Policy). Purposes of the Policy include (a) retention and maintenance of documents necessary for the proper functioning of the organization as well as to comply with applicable legal requirements; (b) destruction of documents which no longer need to be retained; and (c) guidance for the Board of Directors, officers, staff and other constituencies with respect to their responsibilities concerning document retention and destruction. Notwithstanding the foregoing, the organization reserves the right to revise or revoke this Policy at any time.

2. Administration

2.1 Responsibilities of the Administrator. The organization's Operations Manager shall be the administrator ("Administrator") in charge of the administration of this Policy. The Administrator's responsibilities shall include supervising and coordinating the retention and destruction of documents pursuant to this Policy and particularly the Document Retention Schedule included below. The Administrator shall also be responsible for documenting the actions taken to maintain and/or destroy organization documents and retaining such documentation. The Administrator may also modify the Document Retention Schedule from time to time as necessary to comply with law and/or to include additional or revised document categories as may be appropriate to reflect organizational policies and procedures. The Administrator is also authorized to periodically review this Policy and Policy compliance with legal counsel and to report to the Board of Directors as to compliance. The Administrator may also appoint one or more assistants to assist in carrying out the Administrator's responsibilities, with the Administrator, however, retaining ultimate responsibility for administration of this Policy.

2.2 Responsibilities of Constituencies. This Policy also relates to the responsibilities of board members, staff, volunteers and outsiders with respect to maintaining and documenting the storage and destruction of the organization's documents. The Administrator shall report to the Board of Directors (the board members acting as a body), which maintains the ultimate direction of management. The organization's staff shall be familiar with this Policy, shall act in accordance therewith, and shall assist the Administrator, as requested, in implementing it. The responsibility of volunteers with respect to this Policy shall be to produce specifically identified documents upon request of management, if the volunteer still retains such documents. In that regard, after each project in which a volunteer has been involved, or each term which the volunteer has served, it shall be the responsibility of the Administrator to confirm whatever types of documents the volunteer retained and to request any such documents which the Administrator feels will be necessary for retention by the organization (not by the volunteer). Outsiders may include vendors or other service providers. Depending upon the sensitivity of the documents involved with the particular outsider relationship, the organization, through the Administrator, shall share this Policy with the outsider, requesting compliance. In particular instances, the Administrator may require that the contract with the outsider specify the particular responsibilities of the outsider with respect to this Policy.

3. Suspension of Document Destruction; Compliance. The organization becomes subject to a duty to preserve (or halt the destruction of) documents once litigation, an audit or a government investigation is reasonably anticipated. Further, federal law imposes criminal liability (with fines and/or imprisonment for not more than 20 years) upon whomever "knowingly alters, destroys, mutilates, conceals, covers up, falsifies, or makes a false entry in any record, document, or tangible object with the intent to impede, obstruct, or influence the investigation or proper administration of any matter within the jurisdiction of any department or agency of the United States … or in relation to or contemplation of any such matter or case." Therefore, if the Administrator becomes aware that litigation, a governmental audit or a government investigation has been instituted, or is reasonably anticipated or contemplated, the Administrator shall immediately order a halt to all document destruction under this Policy, communicating the order to all affected constituencies in writing. The

Administrator may thereafter amend or rescind the order only after conferring with legal counsel. If any board member or staff member becomes aware that litigation, a governmental audit or a government investigation has been instituted, or is reasonably anticipated or contemplated, with respect to the organization, and they are not sure whether the Administrator is aware of it, they shall make the Administrator aware of it. Failure to comply with this Policy, including, particularly, disobeying any destruction halt order, could result in possible civil or criminal sanctions. In addition, for staff, it could lead to disciplinary action including possible termination.

4. Electronic Documents; Document Integrity. Documents in electronic format shall be maintained just as hard copy or paper documents are, in accordance with the Document Retention Schedule. Due to the fact that the integrity of electronic documents, whether with respect to the ease of alteration or deletion, or otherwise, may come into question, the Administrator shall attempt to establish standards for document integrity, including guidelines for handling electronic files, backup procedures, archiving of documents, and regular checkups of the reliability of the system; provided, that such standards shall only be implemented to the extent that they are reasonably attainable considering the resources and other priorities of the organization.

5. Privacy. It shall be the responsibility of the Administrator, after consultation with counsel, to determine how privacy laws will apply to the organization's documents from and with respect to employees and other constituencies; to establish reasonable procedures for compliance with such privacy laws; and to allow for their audit and review on a regular basis.

6. Emergency Planning. Documents shall be stored in a safe and accessible manner. Documents which are necessary for the continued operation of the organization in the case of an emergency shall be regularly duplicated or backed up and maintained in an off-site location. The Administrator shall develop reasonable procedures for document retention in the case of an emergency.

7. Document Creation and Generation. The Administrator shall discuss with staff the ways in which documents are created or generated. With respect to each employee or organizational function, the Administrator shall attempt to determine whether documents are created which can be easily segregated from others, so that, when it comes time to destroy (or retain) those documents, they can be easily culled from the others for disposition. For example, on an employee-by-employee basis, are e-mails and other documents of a significantly non-sensitive nature so that they might be deleted, even in the face of a litigation hold with respect to other, more sensitive, documents? This dialogue may help in achieving a major purpose of the Policy -- to conserve resources -- by identifying document streams in a way that will allow the Policy to routinely provide for destruction of documents. Ideally, the organization will create and archive documents in a way that can readily identify and destroy documents with similar expirations.

8. Document Retention Schedule.

Document Type	Retention Period
Accounting and Finance	
Accounts Payable	7 years
Accounts Receivable	7 years
Annual Financial Statements and Audit Reports	Permanent
Bank Statements, Reconciliations & Deposit Slips	7 years
Canceled Checks – routine	7 years
Canceled Checks – special, such as loan repayment	Permanent
Credit Card Receipts	3 years

Employee/Business Expense Reports/Documents	7 years
General Ledger	Permanent
Interim Financial Statements	7 years

Contributions/Gifts/Grants

Contribution Records	Permanent
Documents Evidencing Terms of Gifts	Permanent
Grant Records	7 yrs after end of grant period

Corporate and Exemption

Articles of Incorporation and Amendments	Permanent
Bylaws and Amendments	Permanent
Minute Books, including Board & Committee Minutes	Permanent
Annual Reports to Attorney General & Secretary of State	Permanent
Other Corporate Filings	Permanent
IRS Exemption Application (Form 1023 or 1024)	Permanent
IRS Exemption Determination Letter	Permanent
State Exemption Application (if applicable)	Permanent
State Exemption Determination Letter (if applicable)	Permanent
Licenses and Permits	Permanent
Employer Identification (EIN) Designation	Permanent

Correspondence and Internal Memoranda

Hard copy correspondence and internal memoranda relating to a particular document otherwise addressed in this Schedule should be retained for the same period as the document to which they relate.

Hard copy correspondence and internal memoranda relating to routine matters with no lasting significance	Two years
Correspondence and internal memoranda important to the organization or having lasting significance	Permanent, subject to review

Electronic Mail (E-mail) to or from the organization

Electronic mail (e-mails) relating to a particular document otherwise addressed in this Schedule should be retained for the same period as the document to which they relate, but may be retained in hard copy form with the document to which they relate.

E-mails considered important to the organization or of lasting significance should be printed and stored in a central repository .	Permanent, subject to review
E-mails not included in either of the above categories	12 months

Electronically Stored Documents

Electronically stored documents (e.g., in pdf, text or other electronic format) comprising or relating to a particular document otherwise addressed in this Schedule should be retained for the same period as the document which they comprise or to which they relate, but may be retained in hard copy form (unless the electronic aspect is of significance).

Electronically stored documents considered important to the organization or of lasting significance should be printed and stored in a central repository (unless the electronic aspect is of significance).	Permanent, subject to review
Electronically stored documents not included in either of the above categories	Two years

Employment, Personnel and Pension	
Personnel Records	10 yrs after employment ends
Employee contracts	10 yrs after termination
Retirement and pension records	Permanent
Insurance	
Property, D&O, Workers' Compensation and General Liability Insurance Policies	Permanent
Insurance Claims Records	Permanent
Legal and Contracts	
Contracts, related correspondence and other supporting documentation	10 yrs after termination
Legal correspondence	Permanent
Management and Miscellaneous	
Strategic Plans	7 years after expiration
Disaster Recovery Plan	7 years after replacement
Policies and Procedures Manual	Current version with revision history
Property – Real, Personal and Intellectual	
Property deeds and purchase/sale agreements	Permanent
Property Tax	Permanent
Real Property Leases	Permanent
Personal Property Leases	10 years after termination
Trademarks, Copyrights and Patents	Permanent
Tax	
Tax exemption documents & correspondence	Permanent
IRS Rulings	Permanent
Annual information returns – federal & state	Permanent
Tax returns	Permanent

*Approved December 17th 2013

NEW MEMBERSHIPS AND RENEWALS

1. Each new member will receive a personalized form letter of welcome from the President with a brief history of the Society and it's goals, etc. mailed with the Membership Card.

2. Each new member should have the opportunity to purchase the Dowser Starter Kit at cost (the four basic instruments and instruction manual).

3. The month new members join ASD will become their anniversary date. Dues will be due one full year from that date. The anniversary month will be indicated on their membership card.

4. The first (1st) renewal reminder will be sent approximately one month prior to the member's anniversary month. A second (2nd) reminder will be mailed the month following their anniversary date. If dues are not paid at that time, prior to their name being removed from the file, an attrition survey will be sent to them.

5. Deleted Oct 5, 2007

6. A count of memberships each year from June 1st thru May 31st. The count will begin with the total number of life memberships at the June 1st date. This is necessary to continue to track an increase or decline in memberships.

CHAPTERS

1. Local chapters need IRS Non-profit Tax Exempt Number 036010613.

*3. Any funds received by ASD Headquarters from any inactive chapter, et al., as stated in the Constitution and By-Laws, Chapter VII, Section 5, Paragraph (a) of this Society directed by the Board of Trustees. In no event shall said funds be held for more than five years for said chapter. In the event the above chapter, et at., becomes reactivated, then above funds shall be returned to that chapter (less interest) upon written notification to ASD Headquarters of chapter reactivation and a written request by chapter officer/chair/leader for return of said chapter funds. - *Approved 8/2/99

*CHAPTERS AND/OR REGIONAL SUBDIVISIONS

1. The executive powers of the Trustees shall include the authority to create regional divisions or branches and local Chapters of this Society, which subdivisions shall be subordinate to this Society and subject to its Articles of Association, Preamble and By-Laws. Each individual Member of such subdivisions shall be a

Member of this Society subject to all if its rules, regulations, and enactments. Each Chapter in a division or branch shall be a Chapter duly authorized by this Society. Only ASD national members can hold office or vote at the chapter level.

2. Formation.
   (a) Eight (8) or more Members of this Society residing within a limited, designated area, may petition the Trustees limited, designated area, may petition the Trustees of this Society for a dispensation to

organize a local Chapter. Three (3) duly organized Chapters within a limited, designated region, may petition the Trustees for a dispensation to establish a district or regional division or branch.

(b) The disposition made of such petitions shall always carefully consider the merits of each petition from the point of view of advancing the best interests of this Society as a whole.

(c) In the event any such petition shall be denied by the Trustees and the petitioners are dissatisfied with the action of the Trustees, said petitioners may, upon written notice to all Members, present their petition to a regular General Meeting of the Members of this Society for final disposition and at such meeting a two-thirds (2/3) vote of all Members present and voting shall be required to override the action of the Trustees.

(d) Charter Approval – Name Change – The Board of Trustees shall be notified in writing of any proposed change in name and/or the Board shall approve or disapprove the proposed change(s). If approved, a new Charter for that Chapter will be issued, thereby negating that Chapter's former charter.

(e) Charter Approval - Newly Merged – If two or more chapters choose to merge they shall apply to the Board of Trustees to be chartered as a new chapter. The old chapters shall then be considered dissolved under their existing charters.

3. All Members of this Society residing within the territory of any subdivision thereof shall be eligible to Membership in that subdivision and no person shall be admitted to Membership in any subdivision until after his admission into this Society in the manner provided by its By-Laws, nor until the individual has paid the fees, dues, subscriptions and other financial obligations fixed by this Society. Any Member suspended or expelled, or in any other way losing Membership in this Society, shall thereupon cease to be a Member of any subdivision. (Note: non-members are classified as guests)

4. Each duly organized subdivision of this Society may make such By-Laws, rules and regulations for its own government as do not conflict with the Articles of Association, Preamble, and By-Laws of this Society or with its policies.

5. Finance

   (a) Funds received by any division, Chapter, branch or subdivision of this Society shall not accrue to the benefit of any individual Officer or Member thereof and in the event of the dissolution of any division, Chapter, branch or subdivision of this Society all funds in its hands shall promptly be transferred to the Headquarters of this Society after payment of its just debts.

   (b) Chapter Funds. Chapters choosing to merge to form a new chapter shall keep any existing funds respectively separate until charter approval (by the Board of Trustees) of the newly merged chapter, and/or forward their funds to ASD in accordance with the Constitution and By-Laws of ASD, Chapter VII, Section 5, paragraph (a).

   (c) Each, Chapter, shall, on the last day of the Calendar Year, submit to the President and Treasurer an Annual Report

6. As soon as they are substantial enough to do so, Chapters are advised to give serious consideration to Incorporation in the state of their domicile, as non-profit, educational and scientific institutions, and to apply to the Tax or Revenue Board of their state treasury department for fully tax exempt status, meaning that dues and contributions to them shall be tax deductible and the Chapters themselves shall be exempt from State taxes. Before filing their Articles of Incorporation in their home states, Chapters shall submit same to Headquarters of this Society for approval by Society Counsel and a committee of Trustees.

7. Chapters and Divisions are created:

   (a) for the benefit, use, and convenience of the Members of this Society, and

   (b) for the promotion of the purposes, objectives, policies and ideals of this Society.

The Application for Chapter Charter shall include Chapter I through Chapter VII of the ASD By-Laws (as provided above) as well as the following information:

Petition To The Board of Trustees of *The American Society of Dowsers, Inc.*
The undersigned members in good standing of *The American Society of Dowsers, Inc*.

residing in the State(s) of , USA, respectively petition and apply for the privilege of informally organizing a local action group for the promotion of Dowsing under the auspices of The American Society of Dowsers, Inc., to be known as a CHAPTER of said Society, all in pursuance and in accordance with the By-Laws of said Society. It is proposed:

1. That the base of operations of the Chapter shall be located within: (area)

2. That the name of this Chapter be:

3. That the membership in this Chapter be limited to members in good standing of The American Society of Dowsers, Inc., who may desire to be affiliated therewith.

4. That special emphasis shall be placed on enlarging the membership and influence of The American Society of Dowsers, Inc. , and furthering the aims of the said Society.

5. That the territory of this Chapter be non-exclusive, placing no restrictions or limitations on the formation of other Chapters of the said Society within this territory.

The signers of this petition and applications pledge they will effectively organize and conduct a Chapter of The American Society of Dowsers, Inc. Judiciously subserve the policies, purposes and ideals of said Society, and not otherwise.

Following are the signatures, names and addresses of the Charter Members of the proposed Chapter: (eight signatures required)

Dated at , the day of 20

Initial Contact Person:

Please print name and address: (Signature on second line) (total: eight signatures)

1. _____

_____
_____ 2.
_____

* Added to manual by Board, 8/2/99

8. Sample of the Chapter Annual Report to be filled out and sent to ASD Headquarters by January 31st of the following year.

CHAPTER ANNUAL REPORT

This statement is required by Chapter VII, Section 5c, of the By-Laws of THE AMERICAN SOCIETY OF DOWSERS, INC

CHAPTER NAME_____

PRESIDENT

Name_____

Address _____

City _____ State Zip_____

Phone _____ E-mail

VICE PRESIDENT

Name

Address

City _____ State Zip_____

Phone _____ E-mail

TREASURER

Name

Address

City _____ State Zip _____

Phone _____ E-mail

SECRETARY

Name

Address

City _____ State Zip _____

Phone _____ E-mail

CONTACT PERSON

Name

Address

City _____ State Zip _____

Phone _____ E-mail _____

PERTINENT INFORMATION

IRS Non-profit Tax Exempt # _____

Meeting place

_____ Name

_____ Address

City_____ State Zip

Officers: How many years an ASD member. P VP S T

_____ Number of members

Number of guests_____
Frequency of meetings: monthly_____ bi-monthly_____ other_____
Fee structure: for members _____guests_____
Do your meetings generally consist of: speaker___ dowsing activities_____ videos or dvds_other___
Do you pay your speakers? _____ how much? _____ by donation? _____
Do you actively pursue membership, guests? _____
Do you advertise your meetings? _____ radio_____ newspaper_____ e-mail_____ snail Mail_____other_____
Do you have or sponsor any events other than your meetings? _____

Do you rent your meeting place? how much?
Do you have your own logo?

_____

Do you sell chapter T-shirts, bumper stickers, etc? _____

_____

Do you sell dowsing tools? _____ kits? _____
Do you maintain a chapter library for your members? _____
Is your chapter located in an urban community? __rural area? _____ population of nearest town or city

_____

VOLUNTEER HOURS _____
Volunteer hours are defined as any time used to plan meetings or other chapter work related activities.

FINANCIAL INFORMATION
ASD can in no way access chapter funds. The information is necessary for office use only and is required by Federal law. If this information is not given, ASD could lose our tax exempt status.

STATEMENT OF CONDITION

ASSETS
Cash in checking account……$
Cash in savings account……..$
Cash in petty cash fund……...$
Approximate value of office supplies……..$
Other (please specify)……..$
TOTAL ASSETS……...**$**
Debts owed……..$
Other bills (please specify)……..$
TOTAL LIABILITIES…….**$**
NET WORTH (assets minus liabilities)……**$**_25th *Approved to be added January 2014

ASD Monies
1. ASD shall use a "double entry" bookkeeping system according to presently accepted accounting practices.

2. Two signatures (Operations Manager and authorized ASD office staff member) are required on all HQ account checks. Book Store account checks will require the signatures of the Operations Manager and the Book Store Manager. All checks written in an amount over seven hundred dollars ($700.00) require the signature of the Treasurer in addition to the Operations Manager's signature (for HQ account checks) and the Treasurer's signature in addition to the signature of the Operations Manager or Book Store Manager (for book store account checks). In unusual cases involving "time constraints" and deadlines that makes mailing checks to the Treasurer for his/her signature inconvenient, the Operations Manager may request special approval by phone from the Treasurer for the second signature on a check over $700.00 to be that of the authorized office staff member or Book Store Manager (depending on which account the check is drawn from) rather than that of the Treasurer. In this case, this approval is to be followed-up with written proof of the check and receipt being mailed to the Treasurer by the Operations Manager.

3. All non-allocated contributions (unspecified funds) shall be deposited into the ASD general funds.

4. Any individuals including Chairpersons and/or Advisors seeking monies from the ASD Treasury shall do so in writing, setting for purpose for which the funds are to be used and the amount of monies sought. If this request is for something other than a budget item, a written proposal shall then be voted on by the Board of Trustees, and, if approved, the funds will be made available.

5. All persons required to handle funds and to sign checks shall be bonded through ASD's insurance coverage.

Specialty List

1) A “Register of Dowsing Specialists” shall be established for Dowsers verified in the following categories:

Water
Personal Well Being
Lost
Ancient Wisdom/Spirituality
Earth Energies

2) Members of the American Society of Dowsers may apply to be listed on one or more of the Specialty Lists by submitting three references to the Specialty List Committee attesting to their success in each of the categories they would like to be listed in.

4) The Specialty Lists shall be used exclusively by ASD for all requested referrals.

COMMITTEES

* A committee is a group of one or more persons elected or appointed to consider or take action on a specific matter.

COMMITTEE TYPES

1. Standing Committee. Created by a specific provision in the By-laws or through adoption of a motion or resolution and responsible for a certain field or department or work which requires continuous service. The committee remains in existence permanently or for the life of the assembly which establishes it.

2. Special, Select or ad hoc Committee. Created to serve a particular purpose. It may be created to investigate a matter and report the facts, to prepare recommendations and resolutions to carry out the recommendations, or carry out an order of the assembly. The committee is temporary and automatically goes out of existence when its work is done and its report has been given.

3. Committee of the whole. Device by which the entire assembly can debate a main motion or amendment as often and as many times as they can obtain the floor.

RECOMMENDED SIZE

1. Size should be determined by the task. In some cases it is possible or better to have one person rather than a committee to represent an area of standing. A committee for action should be small and have only members who favor the undertaking. A committee appointed to investigate the merits of a proposal often needs to be larger and should include representatives of various points of view.

2. Size is usually an uneven number to simplify establishing the presence of a quorum and avoiding much of the possibility of indecisive (tie) votes.

MEMBERS

1. Members are selected as provided in the By-Laws.

2. The President is an ex-officio member of all committees without vote.

3. The Executive Vice President may not represent a President in an ex-officio role as a committee member.

4. The maker of the motion to commit is often included among those appointed, particularly when that individual seems well informed about the matter with which the committee is concerned.

CHAIRPERSON

1. Selection.

a. When a committee is appointed by the president the chairperson will be the first person named.

* Approved 4/20/96

b. When committee members are selected by a body other than the chair, that body has the right to designate a chairperson.

c. If no member is so named, the committee has the right to elect its own chairperson. In order to carry out this responsibility, the first-named member or the one receiving the highest member of votes calls the committee together and serves as temporary chairperson until the committee can choose its own chairperson.

2. Duties.

a. To see that all committee members, including the ex-officio members, are notified of the date, time, and place of every meeting.

b. To familiarize members with their exact duties and help them obtain information needed

to accomplish the committee's purpose.

c. To plan committee meeting, open them on time, and conduct them in a businesslike but informal manner.

d. The chairperson is usually responsible for preparing and presenting the committee report.

MEETINGS

1. If the chairperson neglects to call a meeting, any two members have the right to do so provided all members, including the ex-officio members are notified.

2. Unless the committee has agreed to some other arrangement, the chairperson or any two members may then call additional meetings.

3. A quorum, which is a majority of members of the committee, unless specified otherwise in the By-Laws or by the membership, must be present for all meetings.

4. Meetings are informal.
   a. Every member is expected to participate, including the chairperson.
   b. Motions need not be seconded.
   c. Motions to limit or close debate are not allowed.
5. Any time after a matter has been settled but before the committee's final report is presented, a committee decision can readily be reconsidered, Provided a member who did not vote with the losing side (including absentees and those who did not vote) moves to reconsider the committee vote.
   a. A two-thirds vote (2/3) is required for reconsideration unless all who originally voted on the winning side are present or have been notified that the reconsideration will be moved in which case only a majority vote is required.
   b. There is no limit to the number of times a question can be reconsidered.

ATTENDANCE

1. Only members of a committee have the right to attend its meetings.

2. Others who request permission to express their views should be allowed an opportunity to be heard.

3. Also, knowledgeable members should be invited to bring needed information and advice.

4. All such visitors are expected to depart before the committee begins its deliberations and takes action.

RECORDS

A committee is not required to keep minutes of its meetings. The chairperson or elected Recorder should take notes, however, to enable the committee to continue its work in the next meeting and also to help in preparation of its report.

COMMITTEE REPORTS

1. Every committee, even one authorized by the membership to act in its name, must report to the body which created it.

a. The committee is not an entity unto itself.

b. Roberts Rules of Order Newly Revised (page 417) defines a report as 'an official statement, formally adopted within the reporting body, informing the assembly of action taken or recommended, or information obtained'.

2. The report can, ordinarily , contain only that information which is approved by a majority vote at a properly called meeting and at which a quorum is present.

a. However, if holding a meeting is completely impractical, the committee can report information and resolutions which have been agreed to by every member of the committee.

b. Also, if traveling distance is a problem and the committee was appointed with the expectation that its work would be done by correspondence, its report must be limited to what has been agreed to by a majority of its members.

3. A report may be signed by the chairperson with authorization from the committee or by all members who are in agreement with its contents. When signed by the chairperson alone, he must add Chairperson after his or her name.

4. The minority of any committee who do not agree with the report can prepare a separate report and request permission to present it.

a. Such presentation may or may not be heard and requires a majority vote.

b. The report is for information only. no action can be taken unless a motion is made to substitute it for the report of the committee.

ANNUAL REPORTS

1. Annual reports have a twofold purpose:

a. to summarize, for present members, what the organization has accomplished during an administration; and

b. to record, for future members, what has gone on in the past.

2. Reports and related Procedure are indispensable as aids in assuring a smooth flow of continuing activity from one administration to the next. In an efficiently operated, Society, these are prepared by every officer and standing committee chairperson.

3. A good annual report is:

a. brief, clear, complete, selective; including only significant details, yet recording all relevant; organized; presented by topics, following a pattern of paragraphs arranged in terms of responsibilities, related to activities, etc; or

b. summarized in terms of a month by month calendar of responsibilities and related activities within each time period.

4. A report which is to be published should be printed exactly as it was presented, unless changes have been made by the membership in which case the printed copy should clearly indicate what the changes are.

FILES

Copies of the final or annual report, Policy and Procedure guidelines, or anything else that would be considered the 'history' of a committee should be filled and available at ASD Headquarters.

RECOMMENDED STANDING COMMITTEES

1. PERSONNEL COMMITTEE

* a. Shall include the President, Executive Vice President, Secretary, Treasurer and other persons at Presidential discretion, in cooperation with the OM. b. Duties usually include:

(1) Preparation of personnel practices and staff job descriptions.
(2) Establishment of salary ranges and qualifications for staff positions.
(3) Review of these policies and practices annually.
(4) Making recommendations to the Board of Trustees for changes in (1), (2) or (3) above.
(5) Making salary adjustments. ** Consideration is to be made yearly to adjust salaries in accordance with the Consumer Price Index (CPI) in consideration of personal performance.
***(6) Providing the Operations Manager yearly evaluation by November or as soon thereafter as the CPI is published.
(7) Acting as the arbitrator in personnel disputes.

** The above duties (1-5) to be performed on or before the day of the Annual Meeting.

* Approved at Board Meeting, 4/8/98
**Approved by Personnel Committee, 4/23/99
***Approved at Board Meeting, 4/19/2000

2. NOMINATING COMMITTEE

Selection, purpose, function, and duties are provided in Chapter IX, Section 1 of the ASD Constitution and By-Laws.

3. BUILDING AND GROUNDS COMMITTEE

Responsible for:

a. Looking after building and grounds.
b. Long range planning for the acquisition, renovation, repair and maintenance of the Society's facilities.

4. FUND RAISING COMMITTEE

Responsible for organizing and directing fund raising activities for the Society.

5. SCIENTIFIC COMMITTEE

1. The Scientific Committee proposes concepts and procedures under scientific conditions, acts as a clearing house for procedures and approaches suggested by the membership and coordinate the dissemination of information.
2. The Scientific Committee would present to the Trustees the following:

a. Recommend appropriate methods and overall framework for the study of dowsing, knowing that these recommendations would be updated as appropriate.

b. Propose methods that would develop effective long-term studies to scientifically quantify, and thus enhance, dowsing skills.

c. Propose methods to scientific researchers for controlled studies that would document verifiable targets, such as veins of water.

d. Propose ways to create awareness in the academic community to study how dowsing works and develop instrumentation to measure the accuracy of dowsing.

e. Propose approaches to measure the dowsing response up to and including its role in the personal evolvement of the dowser.

3. The Scientific Committee is a clearing house for scientific matters pertaining to developing effective procedures and programs to develop appropriate scientific studies of dowsing. The Scientific Advisor will offer reports and proposals to the Board of Trustees and the Membership.

6. EDUCATIONAL COMMITTEE

1. The Educational Committee proposes concepts and procedures in educational matters, acts as a clearing house for procedures and approaches suggested by the membership and coordinates the dissemination of information.

2. The Educational Committee would present to the Trustees the following:

a. Recommend appropriate methods and overall framework for the teaching of dowsing, knowing that these recommendations would be updated as appropriate.

b. Propose methods that would develop effective long-term attitudes by which to use the dowsing skill.

c. Propose methods for training beginners to learn to find immediately verifiable targets, such as veins of water.

d. Propose ways to create effective awareness of the many immediate, practical uses of dowsing beyond locating a vein of water.

e. Propose approaches for developing awareness of the more subtle uses of dowsing, up to and including its role in the personal evolvement of the dowser.

3. The Education Committee is a clearing house for educational matters pertaining to the teaching and learning of dowsing and in developing appropriate and effective Procedures and programs. The Education Committee will offer reports and proposals to the Board of Trustees and the Membership.

7. ADVERTISING AND MARKETING COMMITTEE

1. The Advertising /Promotion Committee shall report to the Board of Trustees.

Their primary directive is to co-ordinate all of A.S.D.'s advertising and marketing programs.

The Committee will investigate and make recommendations directly to the Board as to where and when we should invest in advertising and marketing to attain our goals of increasing membership, gaining revenue, and serving our current membership. *Approved January 28th 2014

WATER FOR HUMANITY FUND (WFHF)

1. General

a. The Mission of the ASD Water For Humanity Fund (WFHF) is to empower others by funding the development of dug or drilled wells and other aspects of water resources and recovery in areas of

critical need. Equally, our goal is to further the educational mission of the ASD by demonstrating and teaching the practicality of dowsing and to increase the credibility of this valuable art.

b. The purpose of this Policy & Procedures statement is to provide a guideline for ensuring the continuity of managing the WFH*F*.

2. Detailed Procedures

a. ASD Headquarters Responsibility

(1) The WFHF is a subsidiary organization of the American Society of Dowsers, Inc.

(2) The OM shall receive all monies related to the WFHF, such funds shall be immediately deposited to the WFHF account, and a copy of each check and cash accounting record (including names and mailing addresses for each donation) shall be forwarded to the WFHF Treasurer.

b. Committee

(1) The WFH*F* Committee shall consist of:

(a) Two current ASD Trustees (selected by the Trustees)

(b) One current ASD Convention Committee Member (selected by the Convention Committee)

(c) Six ASD Members-At-Large and, when an opening occurs in the current configuration of the WFHF Committee in this area, the Committee may advertise for applicants in the Digest and/or the WFH E-newsletter, inviting members to apply to fill the position. Each applicant must submit a letter explaining his/her vision for the Committee, what talent(s) s/he can bring, and what project(s) s/he may wish to pursue while on the Committee. These letters shall be retained to form a resource for future selection of Members-at-Large. The remaining members of the WFHF Committee shall review the applications on file and select by vote the person they consider best qualified to fill the empty position.

(d) The Committee may appoint non-voting Advisors as deemed necessary and they may attend WFHF Committee meetings.

3. Committee Responsibilities

a. The President shall appoint a Chairperson. The Committee shall elect a Secretary and Treasurer. This group of people shall be known as the WFHF Executive Committee.

b. This Committee shall meet as a body in person at the ASD Annual Convention. The fall and spring meetings shall take place either at the ASD Headquarters in Danville, VT or by teleconference. All other communications will take place by phone, mail, and or e-mail. The WFHF Executive Committee shall have the option to call other meetings as necessary.

c. The Committee is responsible for making decisions regarding the disbursement of non-restricted funds and the timing of disbursement of restricted funds.

d. Members on the WFHF Committee may form and maintain a sub-committee for the purpose of grant writing. This sub-committee shall include the Secretary or his/her designee and coordinate potential grants with the WFHF Treasurer (for reporting requirements.) This sub-committee will coordinate its activities with those of the ASD Grant Writing Committee.

4. Committee Chairperson Responsibilities

a. Assemble the Committee either in person or by teleconference, conduct meetings, and assign a Raffle Chairperson from the ASD membership who is willing to coordinate with the Annual Convention Committee.

b. The Chairperson, or his/her representative, shall present the Committee's Annual Report at the Annual Convention; this Annual Report will then be reported to the general membership by publishing it in the Digest.

c. On an annual basis, the Chairperson should consider presenting awards in the following categories:

(1) To the ASD member, foreign or domestic, whose contribution and support best represent the spirit of the WFHF.

(2) To the ASD Chapter whose contribution and support best represent the spirit of the WFHF.

(3) To the non-profit organization, foundation, non-ASD individual, church or civic group whose contribution and support best represents the spirit of the WFHF.

(4) To the corporation whose contribution and support best represents the spirit of the WFHF.

5. Committee Secretary's Responsibilities

a. Prepares and distributes the Agenda for each meeting.

b. Records minutes at each meeting and distributes copies to all Committee members for review.

c. Handles correspondence and responds to all requests for grant application materials.

d. Receives all proposals, and copies, distributes or forwards them as needed to all Committee members.

e. Copies and distributes to all Committee members any final project reports or relevant correspondence.

f. Updates records of correspondence and the WFHF history timeline.

g. Prepares the WFHF Annual Report for the Chairperson's oral presentation at the Annual Convention and for publication; this is in conjunction with the Treasurer's report.

h. Prepares updates on WFHF activities for periodic publication for the benefit of the general membership.

i. Participates in the Committee's grant writing activities.

j. Participates, in person or through his/her representative, in the WFHF portion of the ASD web page design and keeps the web page information up-to-date.

k. Maintains the WFHF brochure, letterhead, and all working documents.

6. Committee Treasurer's Responsibilities

a. Receives records of all monies (including names and mailing addresses for each donation) from the ASD office.

b. Keeps appropriate financial records.

c. Writes thank you notes and written acknowledgement of monetary donations suitable for use as income tax deductions.

d. Prepares the WFHF financial statement for inclusion in the WFHF Committee's Annual Report for presentation at the Annual Meeting and for publication in one of the ASD's official periodicals; this is in conjunction with the WFHF Secretary's report.

e. Gives financial reports to the Committee at all three of the required meetings during each calendar year.

f. Updates the "Levels of Support" document for annual publication recognizing contributors in different categories and for advising the Chairperson on donor awards.

7. Raffle

a. To be held during the annual ASD convention utilizing donated gifts as prizes.

b. Should any ASD Conference choose to hold a Raffle or other fund-raising event, where it is not prohibited by law, for the benefit of the WFHF, the proceeds from the Raffle or other fund-raising event shall be sent to the OM as soon as possible after the end of that Conference or event. Recognition of the effort shall be announced at the Annual Meeting.

8. Raffle Chairperson's responsibilities

a. Organize and promote the WFH*F* raffle held at the Annual ASD convention.

b. Solicit volunteers, and coordinate volunteers to solicit prizes for daily raffles. Lists are to be kept of all prizes collected with each donor's name. A master list of donors' names will be made available at the raffle table.
c. Be responsible for collecting and "holding" all prizes until the raffle.
d. Submit regular reports to all WFH*F C*ommittee members regarding the status of all raffle activities.
e. Coordinate volunteers to sell raffle tickets at the Annual Convention.
f. Be responsible for sorting prizes for daily raffles. All collected prizes are to be divided and assembled prior to each evening raffle.
g. Be responsible for coordinating the overall functioning of the evening raffle, including necessary volunteers to take charge of the drawings.
h. All proceeds shall be presented to the OM for deposit in the WFHF account in a timely fashion.
i. Supply donors with a written acknowledgement of the receipt of the raffle prize donation.

9. Funds

a. Non-Restricted Funds are defined as monies donated, granted, or bequeathed to the WFH*F* for those beneficial purposes as deemed appropriate by Committee.
b. Restricted Funds are defined as monies donated, granted or bequeathed to the WFH*F* for specific purposes as designated by the donor.
c. Management of Funds
   (1) All monies received for the WFH*F* shall be placed in an interest bearing savings and/or checking account separate from any non-WFH*F* accounts.
   (2) An accurate record must be maintained at ASD Headquarters, and by the WFHF Treasurer, of:
      (a) Donor's name and mailing address.
      (b) Donor's specified intent for any personal acknowledgment.
      (c) Donor's specified intent of any donation, bequest, gift, etc.
      (d) Amount and/or description of contribution.
      (e) Date that contribution was received.
      (f) Recipients name and check number.
      (g) Date and amount of transaction; reason for transaction.
   (3) No donation to the WFHF may contain restrictions that limit, in any manner, the ability of the WFHF Committee to disburse any other available funds obtained from any other source.

10. Awarding of Grants

a. Each project is to be assessed individually
b. Recipient's Project Qualification
   (1) Project must be located in a developing country, or an area of need.
c. Recipient's Responsibility
   (1) Provide a detailed project proposal including maps and other confirming documents.
   (2) Acknowledge the receipt of any funds to the Secretary of the Committee within 30 calendar days of receipt.
   (3) Manage the funds and conduct the project in good faith, according to WFHF guidelines, and submit a project completion report in a timely fashion.
   (4) A field liaison may serve as a representative between the WFH Committee and the recipient organization.

PRESENT ASD COMMITTEES AND/OR ADVISORS

1. Appointed by the President.
   a. Convention Committee Chairperson
   b. Dowsing School Directors, Basic and Expanded
   c. Dowser of the Year and Register of Recognition Committee (s) of three (3) members, not necessarily Trustees
   d. Galen O Hutchison Scholarship Committee
   e. Membership Committee
   f. Scientific Affairs Committee
   g. Building and Grounds Committee
   h. Fund Raising Committee
   i. Scientific Committee
   j. Education Committee
   k. Advertising and Marketing Committee
2. Deleted 1/15/14
3. Appointed by the Regional Coordinator and President
   Nominating Committee of seven (7) ASD members who are not Trustees.
4. Appointed at the Annual Membership Meeting
   Auditing Committee of at least three (3) ASD members.
5. Other Committees

FEES

*1. Regional Conferences
   a. All regional conferences shall give ASD $2.00 per registered attendee, paying or not paying. Payment to ASD should be accompanied by a full registration list, within 45 days of the end of the conference. This is to be effective January 1, 2008.

* Approved 10/2/2007

*2. Sanctioned/sponsored Events - Approved events shall encompass all events such as regional conferences and workshops for which ASD provides one or more of the following services:, a. Service A

1. A listing of the event will be placed in *The Dowsers Network* and/or the Quarterly Digest under ASD Schedule of Upcoming Events.

Approval Authority: Operations Manager
Charge: None

b. Service B (For events such as conferences)
   1. Use of the Society name in conjunction with a particular event is authorized. Approval Authority: ASD Board Charge: As in Fees #1 above.
   2. Certificate of insurance, if available, will be provided upon request when the event is authorized as above
      Approval Authority: Operations Manager Charge:
      Cost of insurance, if any.

c. Service C (For events such as weekend, pre and post convention workshops.)
   1. A one-half to one-page description of the event including a registration form will be placed in one or two issues of *The Dowsers Network*. The registration form will provide for the entry of attendee information and list the fees.

3. The ASD staff may receive the payment of fees and, as required, arrange for refreshments; i.e. lunch.

4. ASD Dowsers Hall or a nearby facility may be provided for the event.
   Approval Authority: Operations Manager
   Charge: 25% of gross profit plus cost of nearby facility, if required.
   Services will be requested in writing, and approval or disapproval stated in writing. *
   Approved 7/28/97

NOMINATING COMMITTEE GUIDELINES (approved 2/29/04)

Procedures to be used in the selection of Nominating Committee members and their duties are included in the ASD By-Laws (see Chapter IX Elections). The following information, clarifications, options, guidance should also be used. (note: as of date of approval 2-29-04, an accompanying By-Law change was pending)

PART I

NOMINATING COMMITTEE SELECTION

C. The By-Laws provide for a seven (7) member nominating committee, made up of ASD members in good standing, to nominate candidates to run for the Board of Trustees.

D. While serving on the Nominating Committee, a member may be eligible for election to the Board of Trustees.

E. Members of the Nominating Committee are to be familiar with their duties and responsibilities, as well as the duties, responsibilities, obligations, etc. of ASD Trustees and Officers. The ASD Operations Manager, will provide committee members with a current copy of the ASD By-laws, and the Policy and Procedures Manual. The relevant parts (at least the Nomination section) may be separately copied or highlighted for the convenience of the members.

F. Trustees and elected Officers shall not serve on the Nominating Committee, but may confer individually and/or collectively with any or all of the members of said committee. (By-Laws, Chap IX, Sec.4)

PART II

NOMINATION PROCESS

The Nominating Committee shall use these guidelines, relevant By-Laws and the ASD Policy and Procedures Manual, in their selection of a suitable and qualified slate of candidates for presentation to and use by the General Membership in the Trustee election process.

The Nominating Committee shall select candidates from eligible ASD members, whose names, accompanied by reasons for the recommendation have been presented to the Committee in writing. (see *Solicitation Letter*)

A. The Nominating Committee shall recommend at least ten (10) eligible and well qualified candidates for consideration. The slate of candidates should, if possible, contain the names of nominees from each of the Society's six (6) Regions, to insure proper representation for all members.

B. All Committee deliberations, findings, conclusions are confidential and the names of those selected for nomination shall not to be made until the list of candidates is conveyed to Office Manager

The Nominating Committee shall evaluate the qualifications, past and more recent contributions, and future potential of prospective candidates and seated Trustees who have stated in writing they wish to be considered for nomination. Nominees should be examined, in part, as to the amount of time and energy spent, and their active involvement in advancing dowsing, the Society and its members. This should include chapter, regional and national levels, through committee work, task force activities, lectures, workshops, as well as news media, writing articles published in the *Digest*, and the *Dowsers Network*.

The Chairperson, and members of the Nominating Committee have a reasonable measure of freedom and latitude in establishing the internal Procedures that they will use in selecting a slate of qualified nominees for election to the Board of Trustees

In its quest for well qualified candidates, the Nominating Committee shall use all the practical tools and methodologies at its disposal. For example, interview prospective candidates and interested Trustees via telephone, email or in person. Consult other ASD members who are well acquainted with a candidate, to get their views and opinions, and dowsing the candidate's suitability on a variety of pertinent issues. Consider having a list of interview questions to be asked of all prospective candidates. To further assist the Committee, the *Prospective Trustee Questionnaire* is to be completed by each nominee, signed and returned to the Committee, by a stated time.

Note:

1. A good dowser or a good presenter does not necessarily make a good Trustee.
2. Nomination of a seated Trustee is not automatic - it is based on their significant contributions to ASD, its leadership and its members, as well as the demonstrated ability and willingness to serve as a working member of the board

PART III

RECOMMENDED INTERNAL PROCEDURES / TIME REFERENCE GUIDELINES

1. Within thirty (30) days of being appointed to the Committee, members will elect a Chairperson.
2. The ASD Operations Manager will issue each Committee member a current copy of the ASD By-Laws, Policy and Procedures Manual, within one week of Committee selection. The Chairperson will request that each member become familiar with, and understand, the contents of these documents that are crucial to their duties and responsibilities.

B. No later than three months prior to nominations being due, the Committee will begin a campaign to alert all members of the Society that the Nominating Committee is soliciting nominations for Trustees from their respective chapters and regions. The Committee Chairperson will coordinate with the ASD Operations Manager, the ASD National Chapter Secretary, the Editors of both the *Digest* and *The Dowsers Network*, etc. as appropriate, to insure the message gets publicized at all levels of the Society, including chapters.

C. A *Solicitation Letter for Nominees for Election to the Board of Trustees* shall be sent to all Trustees, Regional-Coordinators and Chapter Presidents with a request for nominations from qualified ASD members. It is expected that the Solicitation Letter will be distributed widely to qualified members.

D. Upon receipt of nominations for Trustee from an ASD member, the Committee Chairperson shall forward that data to all members of the Committee, and send each nominee, including interested Trustees, a *Nominee Congratulations Letter*, and a *Prospective Trustee Questionnaire*. The Nominee will be directed to complete, sign, and return the questionnaire to the Chairperson, by a specified date (approximately three (3) weeks).

E. The Chairperson will forward to Committee Members copies of all correspondence, completed questionnaires, together with any other compiled data relevant to nominees, special instructions, suggestions, and guidelines, triggering the evaluation process.

F. Committee members shall, as a group, using ASD Policy and Procedures, guidelines and tools such as form letters, selection criteria, measurement devices, review and evaluate the qualifications and potentials of each candidate. Members may use mail, email, telephone, and private meetings during Regional Conferences etc. At least 14 weeks before ballot distribution, there shall be a proposed slate of nominees for review by the whole Committee.

G. The Committee shall, approximately 13 weeks prior to ballot distribution, end its deliberations, and prepare a finalized slate of Candidates for the Board of Trustees.

H. The Chairperson of the Nominating Committee shall, at least 11 weeks before ballot distribution, notify each candidate, in writing - this may be by email, fax or postal mail, and inform them of their acceptance or rejection as nominees. At the same time a biographical sketch shall be requested from all accepted nominees. The Committee Chairperson shall receive that sketch at least 8 weeks prior to ballot distribution

I. The Chairman of the Nominating Committee shall, at least 45 days prior to ballot distribution, present the slate of candidates, in writing, to the Secretary of the Board of Trustees who shall immediately present a copy of the list to the Operations Manager.

J. The Nominating Committee shall review, edit and approve each candidates biographical profile.

K. The Office Manager shall include candidate profiles in the ballot and information sent to each member The ballot shall be mailed by first class mail, at least 60 days prior to the election date. Ballots are to be received by ASD by election deadline. Elected trustees shall be notified by phone if possible, and, in writing at least six (6) weeks prior to the Annual Meeting.

L. It is suggested that election results be posted on the ASD website after notification of all candidates has been attempted.

FORMS (may be sent by the most reasonable and convenient manner)

To further assist the committee the following letters and questionnaires are provided.

1 Solicitation Letter for Nominees for Election to the Board of Trustees

2 Criteria for Nominees - chart

3 Nominee Congratulation Letter

4 Prospective Trustees Questionnaire

SOLICITATION LETTER for Nominees for Election to the Board of Trustees

4. The Nominating Committee of American Society of Dowsers invites chapters and members to submit the names of members in good standing that they consider highly qualified candidates to become members of the Board of Trustees.

5. The following requirements, qualities and criteria, are deemed important in the consideration of a member for the Board of Trustees: a. at least18 years of age

   b. a U. S. citizen

   c. a thorough understanding of the basic concepts of dowsing

d. a history of active involvement at chapter and higher organizational levels promoting the cause of dowsing

e. a reasonable, logical, practical and open mind

f. able to bring in special skills, knowledge, aptitudes e.g., finance, marketing, management, computer science, engineering, etc.

g. ability to grasp the challenges confronting ASD, and to make decisions effectively

h. ability to work efficiently and harmoniously with others in a group setting

i. has the time, energy and financial resources to attend all Trustee Meetings, ? [Note: There have previously been two (2) meetings at the Annual Conference, one before the Conference, one after the Annual Meeting, and at least 2-3 other meetings during each year. These meetings may be anywhere in the country. For example for 2003-2004, meetings were held in Vermont, Arizona, and Washington state.

Recently, to get the business of the Board accomplished and to reduce the expense and time of travel for Trustees, some meetings have been teleconferences]

6. The recommendation must be in writing, citing the reasons for the nomination, and containing a statement that the nominee has expressed a willingness to serve. People may not nominate themselves.
Please provide their name, address, email, phone(s) and fax. Note: a copy of the *Prospective Trustee Questionnaire* is located at the ASD web site: www.dowsers.com

Please send information on your nomination for Trustee as soon as possible, to be received by (date) _____
to: (name) _____

Chairperson, Nominating Committee

(address)_____

_____

email: _____ fax _____

rev: 2/04

For Members without email the following Post Card may be used to solicite nominations.

HELP CREATE THE FUTURE OF A.S.D.

Now is your opportunity to take a vital role in steering ASD into a bright future!

Do you know a highly qualified member that you would like to nominate as a candidate for the ASD Board of Trustees?

If so, we want to hear from you!

The 2011 ASD Nominating Committee

Candidates need to have the dedication to serve and the time, energy, and resources to attend all Trustee and Committee meetings - most all of which are held via teleconference. In-person attendance is required at the Annual Convention & may be requested at other times. Candidates must have access to email and be able to participate in monthly phone meetings.

Send your written recommendation citing your reasons for your nomination with a statement that your candidate has expressed a willingness to serve.

A copy of the letter listing the necessary qualifications, the prospective trustee questionnaire, and copies of our by-laws and the policy & procedure manual are found on www.dowsers.org under Dowser Resources. Or feel free to call the ASD office at 802/684-3417 for a copy.

Send your nominee's name, address, email, and phone number before September 28, 2010 to: 2011 Nominating Committee, ASD, 184 Brainerd St., P.O. Box 24, Danville, VT 05828

CRITERIA FOR NOMINEES

	Question – This candidate…	A- Meets all criteria 76-100%	B – Meets most of the criteria 52-75%	C- Meets some of the criteria 26-50%	D – Meets little or none of the criteria 0-25%
1	Is a member in good standing of ASD				
2	Is knowledgeable about dowsing				
3	Is reasonable				
4	Is logical				
5	Is practical				
6	Is open minded				
7	Has a history of active involvement at chapter and higher organizational levels promoting the cause of dowsing				
8	Is able to bring in special skills, knowledge, aptitudes e.g., finance, marketing, management, computer science, engineering, etc.				
9	Has the ability to grasp the challenges confronting ASD and to make decisions effectively				
10	Has the ability to work efficiently and harmoniously with others in a group setting				
11	Has the time, energy and financial resources to attend all Trustee Meetings				
12	(current trustee) Full Meetings attended in the current term e.g. #_of total # .				

13	(current trustee) # regional conferences attended in current term				
14	(current trustee) will contribute to and enhance leadership of ASD and its members				
15	(current trustee) has significantly contributed to and worked on committees for the benefit of ASD				

NAMES and phone numbers of references

1. . _____ Phone: (___)
_ _____
2. . _____ Phone: (___)
_
3. . Phone: (_____) _____

Notes/discussion

Rev: 2/04

NOMINEE CONGRATULATIONS LETTER

FROM Chairperson, Nominating Committee to Nominee – Date

Name

Address

SUBJECT: Nominee for ASD Trustee

Congratulations on having been nominated by (name)_____as a candidate for American Society of Dowsers Board of Trustees, for the next two (2) year term

Thank you for your interest and stated willingness to serve in this vitally important office of the American Society of Dowsers and its members.

The Nominating Committee is currently reviewing your nomination. In the member's letter recommending you, we received some information about your qualifications. Please provide additional information in the attached PROSPECTIVE TRUSTEE QUESTIONNAIRE, sign it and return it to me by (date)_____.

Sincerely,

(name) _____

Chairperson, Nominating Committee
Address: fax: email:

Rev: 2/04

PROSPECTIVE TRUSTEE QUESTIONNAIRE

(A copy of the Prospective Trustee Questionnaire is located at the ASD website www.dowsers.org under Dowsers Resources)

(Current trustees see PART II)

PART I

NAME _____

PHONE _____EMAIL_____FAX _____

ADDRESS _____

I am 18 years of age or older. Yes_____No _____

U.S. CITIZEN (Nominees must be citizens of the U.S.A.) Yes_____No _____

NOMINATED BY

Name _____

_____

_____Email Fax _____

Address

Phone

Please use additional sheets as necessary

1. Number of years of active dowsing _____

2. Explain your knowledge of and practical experience in the field of dowsing

_____

3. Explain why you want to become a Trustee of ASD _____

_____

4. What makes you proud of what ASD is doing _____

5. Number of years as a member of ASD _____

6. Are you a member of an ASD Chapter Yes _____ No _____ If yes:
   Chapter name _____
   Positions held _____
   Chapter accomplishments in which you took part _____

7. If you do not belong to a chapter: What accomplishments or contributions have you made for the betterment of ASD and your community

8. Have you attended ASD-sponsored Regional Conferences Yes_____No ____
   If Yes, Where _____When _____

9. Have you attended the ASD National Convention Yes_____No ____
   If Yes, When _____

10. Have you been a speaker at the National Convention and/or Regional Conferences
    Yes_____No _____If Yes, Where_____When _____

What were your subjects _____

11. Have you ever held a national position with ASD (Such as appointment to national committee(s) like Auditing, Nominating, or Awards, etc, or Regional Coordinator.)

_____

12. Have you received any awards from ASD Yes _____ No _____
List, describe, the award(s) _____

13. Will you have both the time and financial resources to attend all of the Trustee meetings held each year Yes _____No __

Note: There are a minimum of two meetings held at the Annual Convention that require physical attendance. One is before the Convention and one is after the Annual Meeting. Others are called as needed at Convention or at other sites anywhere in the country. Convention and travel expenses are not reimbursed by ASD. Most meetings are conducted by conference call. All phone charges are the responsibility of the trustee.

14. Will you have time to fulfill your responsibilities as a Trustee Yes_No ____

15. List and briefly describe past positions, similar to that of ASD Trustee, that you have held (include approximate dates), and how those experiences prepare you for being an ASD Trustee _____

16. Explain how your interpersonal relationship skills and ability to work harmoniously with others in a group setting would benefit the Board of Trustees, ASD and its members

_____

17. Explain how you can/will make a positive contribution to the leadership of the Society and its members _____

18. Explain what other supportive specialized knowledge, experience, expertise and aptitudes you offer in such areas such as management, finance, accounting, human resources, law, marketing, advertising, science, engineering, parliamentary procedures, etc.

_____

19. What committees (for example Convention, Membership, Scientific Affairs, Building and Grounds, Fund Raising, etc.) would you consider being an active part of. Why

_____

20. What By-Laws, Policies or Procedures should be changed, if any, and why

21. What about ASD would you change. Why _____

22. Provide, as a reference, at least one member of the current Board of Trustees familiar with you and your qualifications who we may call

Name _____

Phone number _____

E-mail _____

Address _____

23. Provide, as references, three (3) people who are not Trustees who we may call

Name _____

Phone number _____

E-mail _____

Address _____

Name _____

Phone number _____

E-mail _____

Address _____

Name _____

Phone number _____

E-mail _____

Address _____

Note: Being a Trustee is not just an honor, it is a large responsibility. The first meeting of a term is a working meeting. All trustees must have a strong working knowledge of the By-Laws, and the Policy and Practices Manual, and be able to knowledgably discuss items on the agenda. Some meetings are teleconferences or are held at a specific location with the possibility of additional persons attending by telephone. Trustees communicate as much as possible by email. All Trustees are expected to have email access and to attend all of the meetings.

PART II

FOR CURRENT TRUSTEES

Would you like to continue to serve as an ASD Trustee Yes____No ____ If your answer is Yes, please answer the following additional questions.

1. Briefly explain your contributions, accomplishments and actions taken during your current 4

year term, which enhanced the Board of Trustee Meetings, the Society, and the membership-at-large _____

_____

2. Which committees have you actively served on during this the current term

_____

3. How many Trustee meetings have you attended during your current tenure as a Trustee In person ___Telephone conferences _____

4. How many National Conventions and Regional Conferences did you attend during your tenure as Trustee Where and When National_____Regional _____

5. If re-elected, detail how you will contribute to and enhance the leadership of this Society and its members __

_____

_____

I certify that the above information is true.
Signed _____Print Name_____Date _____
Please return this questionnaire and any additional requested information, to the Nominating Committee representative below no later than (date) _____

Name (NC Rep.) _____
Address _____ Email _____

Fax _____

Rev: 2/04

APPENDIX

BALLOT COMMENTS – this should be on the ballot sheet, in an obvious place.

A ballot is valid if:

1. it is received by the due date
2. you are a member in good standing, of ASD, at the date of mailing ballots to members
3. The supplied return envelope is used
4. no more than 7 persons have been voted for
5. the votes are legible and understandable

Before you vote, be knowledgeable about the candidates, beyond the short piece of information provided on each candidate. Here's an opportunity to dowse for the candidates that will be significantly contributing members of the Board of Trustees and be effective in furthering dowsing and the goals and mission of the American Society of Dowsers.

Voters should ask and know about all candidates:

1 What has the nominee done for ASD?

2 What will the nominee, as a Trustee, actively do for ASD?

3 Voters should ask of all current trustees

- How effectively have they worked with their fellow Trustees?
- Did they attend and participate in Trustee meetings outside of those held at the Annual Convention How many in person? How many by telephone conference?

This information should be gathered in person, by phone and/or by email, not only by casual reference.

Time Path For ASD Nominations And Elections

ACTION	Timing/ actions Guideline	62 week time table- Example 2004 -2005
NOMINATING COMMITTEE		
Appoint Committee	(2 wks to elect chair)	62 -- mid April 04
Elect chairperson	Within 30 days of committee appointment	60 -- last wk April 04
Issue by-Laws and PPM to committee members	Within 1 week after committee appointed	58 – mid May 04
Start campaign to alert members, and solicit nominations	(3 months to nominations due)	48 – 2 or 3 wk July
Nominating letters due to (whom) by (when)		36 – 2nd wk Oct 04
Cover letter and questionnaire to all potential candidates	+3 wks to return	34 – 3rd wk Oct 04
Bios due to Chair		31 – 2nd wk Nov 04
Proposed slate of nominees for whole committee review by	(14 wks before ballot distribution)	31
Prepare final slate of candidates for trustees Committee review and give slate to B of T	(2 wks) (13 wks before ballot distribution)	30 -- 3rd wk Nov 04
Chair will notify candidates in writing re: yes/no on candidate list; and request bio of all candidates for ballot Need word limit? 200 words?	(3 wks) (11 wks before ballot distribution)	27-- 2nd wk Dec 04

	Early arrangements for printing, mailing	

Bio sketch due to chair by	8 weeks before ballot distribution	24 – mid Dec 04
Chair presents candidates to B of T Exec Sec, then Exec Sec send copy to OM	45 days before ballot distribution	23 – 1st full wk Jan 05
OM prepare bio sketch of nominees for ballot and info to members Design ballot, set up for printing/mailing		
Mail ballots to members (distribution) by	60 days prior to election	17 – mid Feb. 05
Ballots/Votes due to ASD by		9 -- last week April 05
ELECTION	ELECTION	9
	Notify by phone, if possible, those not elected, then…	7 – late April 05
Notify elected trustees in writing – with proof of delivery	Phone and send written notification of election to Trustees elect	7
	All communications to the outgoing Board are now also sent to all members of the B of T Elect	
	Last meeting of outgoing Board	7
	Incoming Board Elect holds meeting to choose Executive Officers	7
	Select committee assignments	
Keep ballots 90 days max, to allow for challenges	+ 30 days	
Destroy ballots after 90 days with out a challenge	After 30 days	

ANNUAL MEETING and 1st Trustee meeting of new term	ANNUAL MTG and first B of T meeting of new term	1 – June 05
ACTION	timing/ actions guideline	62 week time table-- example 2004-2005

THE ANNUAL CONVENTION

1. Deleted 1/15/14

2. Recommendations:
   a. Establish a permanent Convention Committee.
   b. Establish a trustee Committee to resolve problems over which the chairperson has no authority (non-budgeted needs i.e. unforeseen purchase or repair).
   c. Preferably select a chairperson who lives in the vicinity of the convention site (NH or VT).

3. The Convention Committee is responsible for the mental planning and physical implementation of running the Convention. Headquarters staff needs to be as un-incumbered as possible during the Convention in order to deal with increased office convention workload.

4. Responsibilities of ASD Headquarters
   a. Set day for Annual Membership Meeting.
      (1) Make all arrangements for the Membership Meeting (i.e. Trustee seating, podium seating, tape recorder, gavel, the taking of minutes in election years, etc.) (2) Provide necessary written materials (i.e. reports, financial statements, copies of the By-laws, etc.) at the door.
      (3) Provide for checking Membership Cards at the door.
   b. Provide meeting place, if needed, for Convention Committee.
   c. Arrange for proper contracts with the chosen convention site and get necessary signatures. (April 5, 1995 Trustee Minutes)
   d. Arrange for:
      (1) Public Buildings
      (2) Reserve Workshop/School times
      (3) Two (2) Trustee Meetings
         (a) Prepare agenda packets, except committee reports (b) Prepare for room set ups, audio equipment, food, etc.
      (4) Registration Table
   e. Copy form letters required. NO ADDRESSING OR MAILING.
   f. Obtain Convention Brochure and mail before April 1st.
   g. Pre-register Workshops, Schools and Convention.
   h. Prepare for the awards presentations with the appropriate committee or committees.

5. Responsibilities of the Convention Committee and Headquarters (HQ)
   a. Planning and publication of all brochures, programs, etc. via HQ
      (1) Brochure to printer by April 1st (HQ)
      (2) Program to printer by July 1st (HQ)
   b. Recruit volunteers with back-ups for emergencies
   c. Confirm all speakers and others for workshops, seminars, evening presentations, etc.

d. Have someone available at Headquarters at all times during the Convention to take care of speaker needs and changes.

ANNUAL CONVENTION GUIDELINES

1. The Convention is for the benefit of the membership, not an individual's personal agenda.

2. The Convention shall conform to:
   a. The Vermont State Charter
   b. The American Society of Dowsers, Inc. By-laws
   c. The Policy and Procedures Manual
   d. Vermont State Laws

3. The President of the Board of Trustees shall appoint a Convention Chairperson (CC) as soon as possible after the General Membership Meeting.

4. The CC in conjunction with the President and the Operations Manager (OM) appoints a Program Chairperson.

5. The CC appoints other committee chairpersons.
   a. Hospitality
   b. Entertainment
   c. Decoration
   d. Volunteer
   e. Refreshment Coordinator
   f. Information Coordinator
   g. Water for Humanities (Raffle Committee). This is a somewhat permanent position and will probably not be newly appointed each year. h. Registration
   i. Publicity

6. Equipment and Taping Chairperson shall be appointed by the Operations Manager and the Taping Contractor.

7. The CC shall consult with the OM throughout the year.
   a. The CC shall submit a written report in addition to oral reports at least once a month until February.
   b. Written semi-monthly reports shall be given through February and March.
   c. After that, until the Convention starts, weekly reports shall be submitted.
   d. Any emergency shall be reported immediately.

CONVENTION CHAIRPERSON (CC) RESPONSIBILITY

1. The CC and the committee chairpersons shall construct a schedule with deadlines for each activity.
   a. The schedule shall be submitted to the OM to be incorporated into the Calendar of Events.
   b. It is the CC's responsibility to see that deadlines are met.

2. The CC and the committee chairpersons with input from the OM shall submit a budget to the Boards of Trustees for approval at the mid-winder Trustee Meeting. The Budget shall be within the confines of the ASD budgeted amount.

3. The CC shall have regular meetings with the convention committee. It is suggested monthly but may need to be more often as the Convention plans advance.

4. The CC with the OM selects the site of the Convention. Such site must be approved by the Board of Trustees. (See Responsibilities of ASD Headquarters "C.")

5. The CC consults with the Program Chairperson to select speakers, including the main speaker. It is courteous and wise to consult with the President when considering a main speaker.

6. The CC works with the Registration Chairperson to:
   a. Order ribbons
   b. Stuff envelopes
   c. Assemble ribbons, programs and information for registrant.

7. The CC and committee chairpersons plan the program schedule of events and submits such schedule to the OM according to the Calendar of Events.

8. The CC opens the Convention, "Thanks" the Committees, and introduces the President for opening remarks. The meeting is then turned over to the Program Chairperson for "Introduction of Speakers".

9. The CC acts as the CEO of the Convention and all committees. The CC has to be familiar with every phase of the Convention and every other chairperson's responsibilities.

10. The CC keeps the peace.

PROGRAM CHAIRPERSON RESPONSIBILITIES

1. Selects convention speakers, including the main speaker. The main speaker should be selected after consultation with the CC, the President, and the OM.

2. Plans the speaker program, time, days, taking into consideration that if the speaker is a trustee, that time must be scheduled when there is no trustee meeting. In new election years consider nominees that may be elected to the Board of Trustees.

3. Sends Headquarters provided "Speaker Applications" in accordance with the Calendar of Events.

4. Replies to Applicants are to be sent according to the Calendar of Events. Speakers need to know as soon as possible if they are expected to speak so they can make their plans.

5. The CC and Program Chairperson make a "draft copy" of the Convention Brochure to submit to the OM for final editing prior to the deadline.

* 6. Provides evaluation forms, collects evaluation forms, and evaluates them. This pertains to workshops, seminars and evening presentations. In addition, it also pertains to vendors so that convention attendees will have the opportunity to express their viewpoints on the products and services being offered. Results are given to Headquarters and the forms sent to the appropriate presenter and vendor.

*Approved at Board Meeting, 4/8/98

HOSPITALITY CHAIRPERSON

1. Works with Refreshment Coordinator, Entertainment Chairperson, Decoration Chairperson, Volunteer Coordinator and the site representative.

2. Is responsible for Hosts to greet and welcome Convention attendees. Hosts should know all the information needed or know where can be found (i.e. name of person, trustee, or place).

3. Receptions and any post-convention party
   a. Hosting
   b. Ordering, preparation, clean up, etc.
   c. Trash removal

4. Photographer

5. Use of truck and services with enough man power to move large, bulky, heavy objects.

ENTERTAINMENT CHAIRPERSON

Provides the evening entertainment or any entertainment that does not interfere with the scheduled convention program.

DECORATION CHAIRPERSON

1. Decorates Hospitality Room, College Halls as permitted by the college, presentation platform, and any other areas deemed necessary.

2. Works with the Hospitality Chairperson, Entertainment Chairperson, Refreshment Coordinator, and Volunteer Coordinator.

VOLUNTEER COORDINATOR

1. Provides volunteers for hosts, shuttle, "gofers", help with attendee luggage, and any other tasks as needed.

2. Coordinates schedule for volunteers. Checks to be sure that volunteers are "on the job".

REFRESHMENT COORDINATOR

1. Provides refreshments for all non-college activities

2. Decides
    a. Type of food.
    b. Best place to buy.
    c. Where to serve.
3. Works with volunteer Coordinator if help is needed to serve or clean up.

INFORMATION COORDINATOR

Provides information for local sights, trips, restaurants, and other places of interest.

WATER FOR HUMANITIES CHAIRPERSON (RAFFLE COMMITTEE)

1. In charge of all publicity concerning the Water for Humanities Fund.

2. Sells raffle tickets.

3. Obtains raffle prizes

4. Oversees the raffle.

5. Takes charge of raffle funds.

REGISTRATION CHAIRPERSON

1. Works with Headquarters to coordinate "WHO, WHAT, and WHERE".

2. Works on Registration Desk

3. Provides registrants with information envelopes not provided by the college.

PUBLICITY CHAIRPERSON

1. Prepares all news releases.

2. Deals with news media before, during, and after the Convention.

EQUIPMENT AND TAPING CHAIRPERSON

1. Determines speaker equipment needs (projectors, screens, chalkboards, chalk, extension cords, projector tables, etc.).

2. Works with college to coordinate equipment.

3. Works with Taping Contractor concerning tapes, recording equipment, where when, who, and how.

In the final analysis the Convention is an ASD activity. It, therefore, falls under the direction of the Operations Manager.

* A PROCEDURE FOR SUBMISSION OF PROPOSALS FOR PRE-CONVENTION SCHOOLS

Individuals wishing to offer a Pre-convention School can submit an outline for consideration at least four (4) month in advance. The outline is expected to contain:

1. A biography of the presenter.
2. A syllabus of material to be covered, specifying lecture or workshop presentation.
3. A request for teaching aids and/or space requirements.
4. If desired, a request for a retail table at the convention.
5. The number of days needed to present the material.
6. Applications are to be mailed to: The Operations Manager, ASD Headquarters, Danville, Vermont.

Information for Presenters at Pre-Convention Schools

A. The opinions expressed by the presenter, are not necessarily those of the management.

B. "Healing will not be performed" in a public forum in the State of Vermont.

C. Teachers will prepare all handout materials in advance. These costs will be defrayed by an appropriate lab fee for the class. The costs are to be delivered to the Operations Manager in time for publication of convention fees.

The ASD Director of Schools shall submit a proposed budget for the next years schools, prior to the submission of the convention budget.

* Approved 11/8/95

SEED MONEY FOR REGIONAL CONFERENCES

1. Seed Money may be provided by ASD for ASD approved conferences. Requests for seed money are to be made in writing less than twelve months before the first scheduled day of the

conference. The request is to be signed by the President (s) of the Chapter(s) presenting the conference. At a minimum each request will:

* Identify specifically what the money is to be used for.
* State that the money will be repaid in full no later than ninety days after the last day of the conference.

2. If the request is for $1,500 or less it will be reviewed by the Operations Manager, Treasurer and President. The Operations Manager and Treasurer will make their recommendations to the President who will approve or disapprove the request. If the request is for more than $1,500.00, it will be presented at a regular Board meeting for approval or disapproval.

Approved 11/6/96

DIAGNOSIS AND HEALING (August 1984)

NOTICE TO MEMBERSHIP FROM BOARD OF TRUSTEES

1. On the unanimous advice of the Society's three legal counsels, your Board of Trustee has adopted the following statement of Policy annunciating the Society's position regarding activities such as diagnosis and healing that may be construed as the practice of medicine.

2. This statement of Policy was drawn up by our Counsels to protect the Society from risk of prosecution and to alert the membership to the importance of informing themselves about Federal and state law before engaging in healing practices.

STATEMENT OF POLICY

1. Whereas Authority for the existence and incorporation of ASD flows from its Articles of Association granted by the State of Vermont, which Articles cannot and do not authorize legally as a corporate purpose the practice of diagnosis or healing or their promotion or sponsorship; and whereas under Vermont Stature 'Medicine and Surgery', Chapter 23, T.26 Sec. 1311-12 and 1314, anyone who practices medicine 'by any system or method', including those of 'faith cure', laying on of hands' and 'mind healing' (excepting practice of the religious tenets of one's church), 'shall be deemed a physician or practitioner of medicine or surgery' and shall require licensing by the State of Vermont, or to be subject to prosecution, the following Policy has been adopted by our Board of Trustees.

2. Members of the Society wishing to diagnose or heal are notified they do not as members of ASD but personally, and at their own risk, and subject to the interpretation of the laws of their on state and the Pure Food, Drug, and cosmetic ACT, passed by the U. S. Congress, which makes it a felony to diagnose or heal without a license, and with the interstate use of instrument or devise.

3. Defense against prosecution by a State or the Federal Government could be a consuming costly affair, and members cannot be entitled to legal or financial support from ASD for what may be an illegal act.

4. Members who wish to write or talk on bodily diagnosis or treatment on the other hand, are entitled to do so under the First Amendment to the U.S. Constitution, which guarantees them freedom of speech, in view of ASD's position, however, they may not hold themselves out, in so doing, as representing ASD in any way, but rather as presenting a personal position.

5. Requests coming from a licensed medical doctor in this country should be considered in the context of applicable law, and at the member's own risk. It is pointed out that requests originating with a doctor outside the country, who is not duly licensed in the U.S., constitutes such a risk.

6. The question of the legality of discussion or treatment of "radiation detrimental to health" turns on whether one is holding oneself out as curing disease, it is noted that it would be attempted by a prosecuting attorney to show that this was done by a system or method that was prohibited.

7. Your Trustees have directed the ASD Staff to reject all requests of a medical nature, either directly or for referral to a member or chapter, noting to the petitioner that such requests may not be processed under the Society's interpretation of the terms of State and Federal Law.

Disciplinary Process.

Any Member, Trustee or Officer, may be reprimanded, suspended, removed from office or lose their membership by a majority vote of the full BOT if shown to be guilty of misconduct. Examples of misconduct would include:

(1) Violating the Code of Ethics (as published in the ASD Digest).

(2) The abuse or misuse of power.

(3) Personal activities prejudicial to the best interests of the Society, including placing personal interests ahead of those of the Society.

(4) Slanderous remarks against a member, or against the Society.

(5) Mismanagement, incompetence, or prejudicial conduct.

(6) Whistleblowing.

(7) Any other form of misconduct that is deemed to be detrimental to the organization, or to an individual.

It is important to understand that a complaint may fall into a number of categories: ethics, misconduct, Slander (against either the society or an individual), mismanagement (which would include incompetence or prejudicial conduct), or Equal Employment Opportunity. It is the responsibility of the full Board of Trustees to evaluate any complaint, fairly and impartially, to determine the category that it falls into, because the procedures for handling them may be different. It is also important to understand that this is one of the responsibilities of the Board of Trustees, and NOT the responsibility of a Chapter of ASD, a committee of ASD, or any other sub-group of the American Society of Dowsers, in part because only the Trustees of the Society may be held accountable for potential violations of law.

A grievance or complaint may be filed by either party to the action, or by a third party who has personally observed the activity. It is important to understand that the Board of Trustees can not, and WILL NOT, act on information that does not fall into these categories; a lack of substantiating information, either because a reporting party was not privy to the actions taken, or because there is a supposition on the part of the filer of a complaint, is inadequate to meet the requirements of this section, and will cause the complaint to be rejected. The evaluation of the complaint by the Board of Trustees, to determine if the requirements identified here have been met, is the FIRST step in the process.

In cases where the complaint is against a Trustee or Executive Officer of ASD, and initiated by a member in good standing, the full Board of Trustees, without the charged individual, will meet as the ethics or disciplinary committee, whichever is applicable, and shall follow the procedures outlined in this chapter. If dictated by the nature of the complaint, the person shall be removed from any management positions until the issue has been resolved. In the unlikely situation where a majority of the Board of Trustees has been brought up on charges, the entire Board of Trustees will determine the nature of the charges (to determine the category that they fall into), and shall follow the procedures outlined in this section. Under no circumstances should any procedure identified in this chapter be construed as limiting the Board of Trustees to a particular course of action; it is recognized that these procedures are guidelines, and the nature of any particular complaint may dictate deviation from these guidelines to meet constraints driven by time or administrative requirements. It is also critical to ensure appropriate and complete documentation of all activities, rationale, investigations, conclusions, and actions taken for any complaint, and that the standards of "Fair and reasonable" (as it applies to the accused), in accordance with Vermont State law, be followed.

In all cases, affirmative steps shall be taken to retain all relevant collected information, in accordance with the Society documentation policies, as well as Federal and State law. The information shall be kept both in hard copy and electronically; electronic copies of the information shall be maintained in a location where it may be available for either State or Federal Authorities, or future Boards of Trustees. In all cases, the decisions of the Board of Trustees are final. In situations where it is determined that false or exaggerated statements have been included as a part of a complaint, the Board is not necessarily under any further obligation to review or further process the remainder of the complaint, at their discretion. The Board shall adequately document the false or exaggerated information, and at their sole discretion, may choose to take action against the person or persons who furnished the information. As with all other actions identified in this section, the Board has full authority to implement any actions it deems appropriate for the effective and efficient operations of the Society.

The recommended procedures and guidelines are as follows:

1) Charges based on a violation of the ASD Code of Ethics. The ASD Board of Trustees, in it's entirety, is the sole authority for determining if a complaint truly violates that ASD Code of Ethics; mere identification of a complaint by a filer as an "ethics complaint" does not necessarily dictate that it is "ethical" in nature. The full Board of Trustees, by a simple majority vote, shall

make this determination. All complaints presumed to be "ethics" complaints shall be sent directly to the Board of Trustees, through ASD Headquarters.

Once judged to be a complaint of activity contrary to the ASD Code of Ethics, a determination must be made regarding any ongoing damage that the activity may have to either an individual or the Society as a whole. If immediate harm is indicated, the Board of Trustees shall suspend the authorities of the individual engaging in the activity, to minimize any further harm. If the individual has no authorities, the Board shall discuss a legal "cease and desist" order with ASD legal council.

The next step in the process is to call the full Board of Trustees to order as the designated Ethics Committee. This would include situations where a majority of the Board of Trustees were charged with a ethics violation; Society members, as well as former Trustees (in good standing), may well not be covered by the ASD liability insurance coverage, which may remove any potential limits of personal liability should they be sued for an unpopular decision. Also, members at large, as well as former Trustees, may be unwilling to sign (and maintain) a non-disclosure agreement, intended to keep all aspects of the investigation and subsequent actions confidential. Current Board Trustees have such requirements.

The full Board, acting in their capacity as the Ethics Committee, shall conduct an inquiry to determine the facts surrounding the complaint; at their sole discretion, they may also decide to hire outside counsel to conduct the inquiry. The inquiry may include any person with direct or first hand knowledge of the activity in question, the charged individual, any other documentation that led to the filing of the complaint, and any other relevant documentation. It is imperative that full and complete documentation of all activities be maintained, and the Board strictly follows the "fair and reasonable" criteria, documenting their adherence to those criteria. Once the facts surrounding the complaint have been collected, the Board/Committee shall meet to review the complete set of data collected. The Board shall then determine, by simply majority vote, if the charge(s) have been substantiated. If the charges have not been substantiated, the Board shall document their conclusion, the supporting rationale, and their justification for meeting the "fair and reasonable" criteria. There shall be no notification made to the complaint originator, other than that the matter has been investigated and closed, with no sensitive information provided; all records and supporting documentation shall be retained, both hard copy and electronically, as part of the permanent Society Archives, and to inform future Boards of the records regarding actions taken.

If the Board determines, by simple majority vote, that the charges are sustained, the Board shall then question the charged individual(s) to determine any mitigating criteria that may exist; mitigating criteria may include any information, presented by those charged, that may influence the Board in their efforts to prevent the situation from occurring again. The Board shall determine consequences to the charged individual(s). The consequences shall be in accordance with the "fair and reasonable" criteria, and shall be appropriate for the conduct. At the sole discretion of the Board, by simple majority vote, the Board shall determine the consequences, and notify the charged party of their results. The decision of the Board in all matters is final, and may not be further appealed.

In situations where a majority of the Board of Trustees has been charged, the complete file, including all supporting documentation and rationale for their "fair and reasonable" decision, shall be forwarded to the Vermont Office of the Attorneys General, for their review and possible action.

2) Charges based on an abuse or misuse of power. Generally, this charge may apply to any individual who has been empowered within the organization, or has abused their membership. Because of the nature of the activity, this could include elements of Federal, State, or Local Equal Employment Opportunity (EEO) requirements. In general, a charge in this category shall be provided, in writing, to an officer of the Society, and shall include supporting documentation to substantiate the claim.

Once a complaint has been received, the receiving officer shall determine if the charge is directed at another officer; if it is, the receiving officer shall convene the full Board of Trustees, and they may vote to immediately suspend the charged officer for the period of an investigation into the matter. If the charged individual is not a Society officer, the full Board may vote to suspend the charged individual from their responsibilities while the matter is being investigated. The Board shall fully document their activity, for maintaining as a part of the corporate records.

If or once the charged individual has been removed from a position of authority, the Board of Trustees (with the exception of a charged individual) shall begin an inquiry into the circumstances described in the complaint. In cases related to Equal Employment Opportunity (which for the American Society of Dowsers, DOES apply to any person in a volunteer position as well), if the inquiry determines the charges may be sustained, the full Board shall meet as soon as possible to vote on the removal of the charged individual from the Society; in the case of conduct by a paid Society employee, the Society President (or a member of the Personnel committee) shall immediately terminate the charged employee's employment.

In the case of non-EEO, harassment, confidentiality, or safety- related incidents, upon receipt of the charges by an officer, the full Board of Trustees shall meet to review the complaint, and shall then conduct an inquiry. Upon completion of the inquiry, the full Board shall meet to review the relevant facts, and deliberate; should the facts support a finding of an abuse or misuse of power, the Board shall then determine an appropriate consequence for the activity intended to prevent reoccurrence. The Board shall consider the full spectrum of penalties available to it, consistent with the "fair and reasonable" requirements.

3) Charges of Personal activities prejudicial to the best interests of the Society, including placing personal interests ahead of those of the Society: Accusations involving this category should be forwarded to an officer of the Society, together with all supporting documentation. The receiving officer shall then forward the information to the full Board of Trustees; if a Trustee is the target of the accusation, then the charged Trustee shall be excluded. The full Board shall then meet to review the complaint and supporting material; if necessary, an inquiry shall begin to verify the information in the complaint, and determine if additional information is available. The Board may delegate the collection of information to any subset of the full Board, if appropriate.

Once all relevant or available information has been obtained, the full board shall meet to review. Once reviewed, the board shall vote to determine the magnitude of the violation; as an integral part of the review, the board may choose to consult legal council to determine if the conduct may contain possible violations of Federal Law(s) involving the financial activities of a non-profit. Once all reviews and legal opinions (if obtained) have been completed, the Board shall vote to take disciplinary action, consistent with and in the context of the nature of the charges. The Board may also vote to forward all relevant supporting documentation to either the Vermont office of the Attorney General, or the appropriate Federal Investigatory Agency, as appropriate.

4) Slanderous remarks against a member, or against the Society: Accusations of this nature shall be forwarded to an officer of the Society, who shall then forward them to the full Board. Any information that was forwarded with the complaint shall be reviewed to determine the nature of the remarks, accuracy, and harm. If additional information may be available, the Board may designate an individual to obtain it. Once adequate information has been received and reviewed by the full Board, the Board shall deliberate to determine the significance of the information, prior to voting. The Board shall then determine the necessary consequences, consistent with the goal of stopping the remarks from being made. If necessary, the Board shall also vote on obtaining legal compliance, either through a Cease and Desist order, or through a Court Order.

5) Mismanagement, incompetence, or prejudicial conduct: Because of the nature of the activity, this could include possible violations of Federal or State law. In general, a charge in this category shall be provided, in writing, to an officer of the Society, and shall include supporting documentation to substantiate the claim.

Once a complaint has been received, the receiving officer shall determine if the charge is directed at another officer; if it is, the receiving officer shall convene the full Board of Trustees, and they may vote to immediately suspend the charged officer for the period of an investigation into the matter. If the charged individual is not a Society officer, the full Board may vote to suspend the charged individual from their responsibilities while the matter is being investigated. The Board shall fully document their activity, for maintaining as a part of the corporate records.

If or once the charged individual has been removed from a position of authority, the Board of Trustees (with the exception of a charged individual) shall begin an inquiry into the circumstances described in the complaint. Upon completion of the inquiry, the full Board shall meet to review the relevant facts, and deliberate; should the facts support an affirmative finding, the Board shall then determine an appropriate consequence for the activity intended to prevent reoccurrence. The Board shall consider the full spectrum of penalties available to it, consistent with the "fair and reasonable" requirements.

6) Whistleblowing: Whistleblowing is the act of reporting allegations of wrongdoing, and whistleblowers are protected by elements of both State and Federal law. Allegations of targeting whistleblowers, either directly or indirectly, must be submitted to an officer of the Board, not involved in the whistleblower retaliation. ASD has stringent policies for the protection of whistleblowers, and the President of the Society is the designated Compliance Officer (unless they are the one targeted with a complaint of whistleblower retaliation; in that case, the Compliance Officer shall be, in descending order, the Vice President, Treasurer, or the Secretary). Upon receiving an allegation of whistleblower retaliation, the Compliance Officer shall determine if adequate information exists within the complaint to substantiate the claim; if the charge can be substantiated, the Compliance Officer shall take action to determine any mitigating circumstances that may be involved; the Compliance Officer shall then report the complaint and findings to the Full Board of Trustees; if the target of the complaint is a paid employee, the Compliance Officer may take immediate action to terminate the employee. If the target of the complaint is not an employee, the Compliance Officer shall present to the Board of Trustees the information, along with a recommendation for action suitable to prevent any further occurrence of the retaliation. The full Board shall then vote on the recommendation; if not passed, the Board shall deliberate to determine a suitable action that will be affirmed by majority vote.

If the charges of Whistleblower retaliation cannot be confirmed, the Compliance Officer shall determine the circumstances that resulted in the filing of the complaint of retaliation, and shall report all available information to the full Board of Trustees. The Trustees shall then determine if whistleblower retaliation has occurred; if necessary, additional investigation shall be conducted to try to substantiate the claims. If substantiated, the Board will vote on appropriate action to take; if not substantiated, the Board will fully document their decision, including deliberations taken, for the Society permanent archive.

7) Any other form of misconduct that is deemed to be detrimental to the organization, or to an individual. This element is a catchall intended to provide for a procedure for a future unforeseen type of complaint. A complaint in this category shall be forwarded to an officer of the Society, who shall then distribute the information to the full Board of Trustees. The Board shall then review the information, and determine the potential impact that the misconduct has on either the Society or a member; if necessary, the Board will conduct further inquiries to obtain additional information. Once the Board has identified suitable relevant information, the Board shall then determine the nature and scope of the misconduct, and shall determine what action to take to discourage or prevent the misconduct from reoccurring.

In any of the above 7 situations, due process must be followed to allow for an affirmative defense on the part of the accused. That defense shall include all relevant information to the accusations against them, as well as mitigating circumstances. A defense of "I am innocent of all charges" shall not be recognized as an affirmative defense, nor shall the Board be obligated to provide information to a member that is available on the ASD Website; the accuser(s) shall, when submitting the original complaint, include any and all relevant information to justify their complaint. The Board, or any element of the Board, is under no further obligation to question the accusers for additional information, or to accept additional information. Once the Board has determined the need for an adverse disciplinary action, the Board shall notify the charged individual(s), stating the charges, along with a summary of the findings sufficient to justify the actions taken; the charged individual shall be given a period of 15 days, in accordance with Vermont State Law, prior to implementation of the action.

Approved 6/10/2018

PREAMBLE

TO THE BY-LAWS OF THE AMERICAN SOCIETY OF DOWSERS, INC.

Dowsing is a faculty employed with intent to expand the perceptive abilities of its practitioner beyond threedimensional limitations. It is a most ancient, varied craft, as ancient and varied as humanity itself. Dowsing has roots, among all manner of peoples, lands, and epochs. There seems to exist an ageless natural knowledge, that enables us to identify ourselves with an unknown source of being and becoming; it is of primary significance, joining Earth, sea, and stars.

Explanation of dowsing's whys and wherefores is still far from satisfactory, but to refuse to explore the unexplainable simply because it cannot presently be explained is unscientific and irresponsible. Dowsing is fact.

As awareness grows, the public mind should recognize that, when based on ample training, experience, and talent, dowsing is a most useful skill, applicable to many fields of human activity.

Spiritual pride is to be avoided by the dowser. Psychic powers, intellectual aptitudes, or physical skills are useless unless applied for the benefit of all, because they bring increased sensitivity. These may properly be expressed only in an increasing awareness of the oneness of all life and in greater love for the whole of humanity.

Any activity that investigates, perpetuates, and expands humankind's lore, mysteries, beliefs, traditions, and useful abilities should command at once loyalty and service. In the energizing of such activity, the power generated in and by a group of interested persons is greater by far than the sum of its numbers.

Upon these concepts THE AMERICAN SOCIETY OF DOWSERS, INC. is founded.

Amended: November 6, 1996; October 15, 2003, December 16, 2006; Ratified by Membership 4/1/2007

BY-LAWS OF THE AMERICAN SOCIETY OF DOWSERS, INC.

CHAPTER I

NAME

The name of this organization shall be THE AMERICAN SOCIETY OF DOWSERS, INC., a nonprofit corporation of the State of Vermont in the United States of America.

CHAPTER II

PURPOSES

Section 1. The purposes of this Society shall be:

(a) to support, encourage and promote dowsing and dowsers in a manner consistent with the highest standards of personal integrity and behavior;

(b) to establish and maintain Focus Groups to bring like minded Dowsers together to use their dowsing abilities to concentrate on, and bring solutions to, specific problem areas in society and/or the world;

(c) to establish and maintain a Register of Professional Dowsers for each Focus Group;

(d) to establish and maintain an Educational Program for each Focus Group with an Instructor Registry and curriculum to educate and guide each Focus Group to a high level of success;

(e) to promote and foster communication and fellowship among all persons in any way interested in dowsing, for the enjoyable social sharing of this common interest;

(f) to build in America an effective, responsible body of men and women devoted to active investigation, study and application of dowsing;

Amended: 7/30/2007 – Ratified by membership 6/16/2009.

(g) to advance dowsing knowledge and practice in every beneficial branch, phase, and aspect thereof;

(h) to encourage the application of methods of modern scientific inquiry to dowsing so a body of scientific information relating to it may evolve;

(i) to offer evidence of dowsing's realm of usefulness to humankind;

(j) to give all possible assistance and encouragement to the quickening and development of the dowsing faculty to the end that dowsing may become part of the culture of modern people.

Section 2. It is the basic purpose of this Society to nurture the dowsing faculty and to encourage its general development and demonstration.

Amended: 7/30/2007 – Ratified by membership 6/16/2009.

Section 3. This Society is wholly a non-stock, nonprofit, non-commercial corporation.

Section 4. This Society is an independent organization but it shall at all times endeavor to promote and maintain cordial and mutually helpful relations with organizations having similar or pertinent purposes in the United States and in other countries.

Section 5. The Society has organizational boundaries. It is of the United States of America and its territories. However, dowsing has no boundaries, only frontiers. In applying the methods of modern scientific inquiry to dowsing, the principles of scientific freedom and responsibility shall have this goal: that science is the search for truth.

CHAPTER III

MEMBERSHIP

Section 1. Any responsible person of good character and repute, regardless of age, sex, race, color, national origin, or other affiliation, who is sincerely interested in any phase of the faculty, craft, skill, talent, art, technique, and/or science of dowsing or in any matter related or pertinent thereto, may be admitted to Membership in this Society in accordance with Section 3 of this Chapter. That person may retain Membership in good standing by paying the fees, dues, and subscriptions established from time to time by this organization and by fulfilling other obligations stated in these By-Laws or otherwise determined from time to time by this Society, including its Code of Ethics.

Section 2. Good standing in the Membership of this Society shall consist not only of the payment in full of all financial obligations assumed by each Member but also in observance of the spirit as well as the letter of these ByLaws, including the Preamble and such other rules and regulations as may be established by this Society from time to time.

Section 3. The Membership of this Society shall consist of Members, Junior Members, Special Members, and Honorary Members.

(a) The grade of Member shall be available to all persons who are eighteen (18) years of age or older who qualify under Sections 1 and 2 above. For the purposes of the By-Laws, a person shall be deemed to be eighteen (18) years of age the day of his or her 18th birthday.

(b) The grade of Junior Member shall be available to all persons not yet eighteen (18) years of age who qualify under Sections 1 and 2 above. Junior Members shall have all the privileges of the Society except voting and holding office.

(c) Special dues paying Members shall be designated at the vote of the Society under such terms and conditions as seem appropriate (for example Family Membership, Life Membership, Family Life Membership) and shall be available to all persons who qualify under Sections 1 and 2 above. A Family Membership and a Family Life Membership are defined as two individuals plus children under 18 years of age. The dues for these Memberships are 1.5 times that of the corresponding Individual Memberships. When children reach age 18 they must then join as an individual. Family Lifetime Memberships are not available to individuals under 18 years of age but they (Individuals under 18) may join as an Individual Life Member. Family Memberships and Family Life Memberships are not transferable, i.e. from the current spouse of an individual to a different spouse for that individual. Family Memberships receive only one copy of any ASD Publications.

Amended: 7/30/2007 – Ratified by membership 6/16/2009.

(d) Honorary Members. Should the Society wish to honor a Member or some person or persons for generous contribution or distinctive service to this Society or to its objectives, then in each case this Society may vote to grant such persons Honorary Membership herein (for example Honorary Membership, Honorary Life Membership) under such terms and conditions as seem most appropriate in each case.

Section 4. Application for Membership shall be sent to the Operations Manager, at the Headquarters Office of ASD, who will carry out all the steps necessary for the enrollment of a new Member.

Section 5. A Member in good standing may resign by presenting a resignation in writing to the Operations Manager of this Society.

Section 6. Anyone whose Membership has been terminated by nonrenewal or resignation may at any time reapply for Membership. Reinstatement of membership for anyone who has resigned must have their application approved by a majority vote of the BOT. If the applicant is not approved, they may reapply in another two years. Reinstatement of membership for anyone who has resigned is not guaranteed.

Amended 4/14/2010 to remove original Sections 6, 7, and 8 and add a new Section 6. Ratified by Membership Ballot 2011.

CHAPTER IV MEMBER FINANCIAL OBLIGATIONS

Section 1. Year defined.

(a) The annual Financial Accounting Period or Fiscal Year of this Society shall be from January 1st to December 31st.

(b) A Membership Year shall include the annual Membership Meeting.

Section 2. All financial obligations, as Dues, Subscriptions, etc., of each Member shall be fixed by the Trustees of this Society with the advice of the Treasurer. The financial obligations assessed upon a Junior Member shall automatically be fifty (50) percent of the financial obligations of a Member. Entrance Fees to any American Society of Dowsers, Inc. sponsored event, such as the Annual Convention and Schools, shall be fixed by Committee with the approval of the Board of Trustees.

Section 3. Any Member who resigns after January 1st of any year shall be liable for the financial obligations of that fiscal year.

Section 4. Member in Arrears.

(a) Any Member whose financial obligations are in arrears at the time of any General Meeting shall not be entitled to vote or exercise any of the privileges of a Member.

(b) If a Member's subscription to a Society publication is in arrears more than two (2) months, the Member shall not be entitled to receive the publication again until the subscription is reinstated.

CHAPTER V

HEADQUARTERS

The location of the principal or Headquarters Office of this Society shall be the Town of Danville, County of Caledonia, in the State of Vermont.

CHAPTER VI

GOVERNMENT

Section 1. General.

(a) This Society shall be governed and managed in full accord with democratic principles. The governing powers shall generally be exercised by the Members in a General Meeting.

(b) The affairs of this Society shall be actively conducted by its duly elected Trustees. These Trustees shall be accountable to the Membership of the Society in all matters of Society business, and shall at all times conduct the business of the Society in accord with its Articles of Association, its By-Laws, including the Preamble, and with policy, authority, and instruction voted by the Members in a General Meeting. Amended: December 16, 2006; Ratified by Membership 4/1/2007

(c) The rules contained in the current edition of Robert's Rules of Order, shall govern this organization in all procedures not covered by this Society's By-Laws, provided such procedures are not in conflict with statutory regulations enacted by the State of Vermont for corporate bodies such as this.

CHAPTER VII

CHAPTERS AND/OR REGIONAL SUBDIVISIONS

Section 1. The executive powers of the Trustees shall include the authority to create regional divisions or branches and local Chapters of this Society that shall be subordinate to this Society and subject to its Articles of Association, Preamble, and By-Laws. Each individual Member of such subdivisions shall be a Member of this Society subject to all of its rules, regulations, and enactments. Each Chapter in a division or branch shall be a Chapter duly authorized by this Society.

Section 2. Formation.

(a) Eight (8) or more Members of this Society residing within a limited, designated area, may petition the Trustees of this Society for a dispensation to organize a local Chapter. Three (3) duly organized Chapters within a limited, designated region, may petition the Trustees for a dispensation to establish a district or regional division or branch.

(b) The disposition made of such petitions shall always carefully consider the merits of each petition from the point of view of advancing the best interests of this Society as a whole.

(c) In the event any such petition shall be denied by the Trustees and the petitioners are dissatisfied with the action of the Trustees, said petitioners may, upon written notice to all Members, present their petition to a regular General Meeting of the Members of this Society for final disposition. At such meeting a two-thirds (2/3) vote of all Members present and voting shall be required to override the action of the Trustees.

(d) Charter Approval - Name Change: The Board of Trustees shall be notified in writing of any proposed change in name and/or service area. The Board shall approve or disapprove the proposed change(s). If approved, a new charter for that Chapter will be issued, thereby negating that Chapter's former charter.

(e) Charter Approval - Newly Merged: If two or more Chapters choose to merge, they shall apply to the Board of Trustees to be chartered as a new Chapter. The old Chapters shall then be considered dissolved under their existing charters.

Section 3. All Members of this Society residing within the territory of any subdivision thereof shall be eligible for Membership in that subdivision. No person shall be admitted to Membership in any subdivision until after their admission into this Society in the manner provided by its By-Laws, nor until the individual has paid the fees, dues, subscriptions, and other financial obligations fixed by this Society. Any Member suspended or expelled, or in any other way losing Membership in this Society, shall thereupon cease to be a Member of any subdivision. (Nonmembers are classified as guests)

Section 4. Each duly organized subdivision of this Society may make such By-laws, rules and regulations for its own government as do not conflict with the Articles of Association, Preamble and By-Laws of this Society, or with its policies.

Section 5. Finances.

(a) Funds received by any division, Chapter, branch, or subdivision of this Society shall not accrue to the benefit of any individual Officer or Member thereof. In the event of the dissolution of any division, Chapter, branch or subdivision of this Society, all funds in its hands shall promptly be transferred to the Headquarters of this Society after payment of its just debts.

(b) Chapter Funds: Chapters choosing to merge to form a new chapter shall keep any existing funds respectively separate until charter approval (by the Board of Trustees) of the newly merged chapter and/or forward their funds to ASD in accordance with the Constitution and By-Laws of ASD, Chapter VII, Section 5, Paragraph (a). (c) Each division, Chapter, branch, or subdivision of this Society shall by January 31st, submit a Chapter Annual Report for the Calendar Year to the President and Treasurer of this Society showing its current President, Vice President, Treasurer, Secretary, contact numbers, meeting place, number of members, guests and any other pertinent information. Optional information- income, expenditures, assets and liabilities and cash on hand.

Amended: 7/30/2007 – Ratified by membership 6/16/2009.

Amended: 4/14/2010 _ Ratified by Membership Ballot 2011

Section 6. As soon as they are substantial enough to do so, Chapters are advised to give serious consideration to incorporation in the State of their domicile, as nonprofit, educational, and scientific institutions and to apply to the tax or revenue boards of their State treasury departments for fully tax exempt status: meaning that dues and contributions to them shall be tax deductible and the Chapters themselves shall be exempt from State taxes. Before filing their Articles of Incorporation in their home states, Chapters shall submit same to Headquarters of this Society for approval by Society Counsel and a committee of Trustees.

Section 7. Chapters and Divisions are created for (a) the benefit, use, and, convenience of the Members of this Society and (b) for the promotion of the purposes, objectives, policies, and ideals of this Society.

CHAPTER VIII

BOARD OF TRUSTEES AND EXECUTIVE OFFICERS

Section 1. Trustees and Executive Officers

(a) Number of Trustees. This Society shall have a maximum of 14 elected Trustees. And no less than Three (3) Trustees to be compliant with State of Vermont requirements. Trustees shall be elected biennially by mail ballot as per Chapter IX, Section 5 for four (4) year terms. In the event the number of Trustees decreases to 7 or less, additional Trustees shall be appointed by the remaining trustees to bring the number of Trustees to 8, but only for the purpose of serving until the next biennial election or to fill unexpired terms. Four (4) or more of these Trustees shall serve as Executive Officers, i.e. President, Executive Vice President or Vice Presidents, Secretary, and Treasurer, and the remaining shall serve as overall, general management Officers and these will be referred to hereafter herein as Trustees-at-Large.
Ratified by Membership 4/1/2017

(1) In the first year of implementation, there will be seven (7) Trustees elected to 2 year terms and seven (7) Trustees elected to 4 year terms. Trustees receiving the most votes will be given the choice of choosing a 4 year or a 2 year term until there are 7 of one or the other. The remaining elected trustees will be given the other term that remains unfilled. In the next biennium the 2 year positions will be refilled by electing trustees to new 4 year terms and the 2 year positions eliminated.

Amended: December 16, 2006; Ratified by Membership 4/1/2007

(b) Officers Elect. Trustees Elect may hold a meeting to choose their Executive Officers Elect (President, Executive Vice President, Secretary and Treasurer). The President Elect may appoint interim officers, in case of loss of an officer elect, to serve between the election and the first Board of Trustees' meeting of the new term. Amended: December 16, 2006; Ratified by Membership 4/1/2007

Section 2. Duties of Officers

((a) The President shall: (1) preside at all Meetings of the Society and of the Trustees and perform all other functions usual to the office; (2) serve as a member of all committees without vote; (3) direct the affairs of this organization subject to the authority and direction of the General Assemblies or Meetings of this Society and of the Trustees; (4) Devote a reasonable amount of time to ways and means for the continuation and extension of this Society; (5) appoint and designate all committees not otherwise created, with the advice, consent, and confirmation of the Trustees; (6) issue the calls for regular and special Meetings of the Trustees. Such calls shall be in writing stating the business to be considered, the time, and the place of the meetings: that time shall not be less than twenty (20) days from the issuance of the call; (7) prepare and present a report at each Annual General Meeting of the Members of this Society: this report shall include such suggestions and recommendations as the President may see fit to incorporate therein; (8) between annual General Meetings, the President, with the advice, consent, and confirmation of the Trustees or by authority received from the General Meeting, may appoint Members of the Society to serve as Historian and Provosts. The Historian will maintain a general historical record of the affairs of the Society. A Provost will serve as the local official

resident representative of the Trustees/ within the assigned geographical region. The President shall present substantive changes in the operations of the Society to the Trustees
for review and approval before being activated, except that in performing this duty the President is authorized to expend Society funds, not to exceed Five Hundred Dollars ($500.00) on any single project prior to its presentation to the Trustees. Amended: December 16, 2006; Ratified by Membership 4/1/2007

(b) The Executive Vice President shall do the following: (1) preside at meetings of the Society and its Trustees in the absence of the President and shall act for the President in case of disability; (2) actively aid and assist the President in directing the affairs of this organization and undertake such special assignments as may be given by the President or Trustees; and (3) upon the death, resignation, or incapacity of the President, succeed and assume all duties, prerogatives, responsibilities, as well as the title of President and shall so serve until the next General Membership Election of the Society.

(c) All Vice Presidents shall have only such duties as shall be assigned to them by the Board of Trustees of this Society.

(d) In the event of the Office of President becoming vacant and there is no successor such as indicated in (b) 3 above to fill it, then the Trustees shall elect one of their number as President. That individual shall serve the unexpired term of President. The Secretary shall record the votes cast and shall inform the Trustees of election results.

(e) The Secretary shall perform the following: (1) attend all General Membership Meetings of the Society and all Meetings of the Board of Trustees; (2) keep a true record of all proceedings of General Membership Meetings of the Society and of the Board of Trustees; (3) keep both written and audio recorded records; (4) deliver the minutes and all audio recordings of such proceedings to the American Society of Dowsers, Inc. Headquarters Office within thirty (30) days of said meeting; (5) when relieved of duties, within 10 days deliver all records, files, correspondence and any other ASD property to the ASD headquarters; (6) perform or cause the following to happen: (i) securing all records in a secure and fire protected area (ii) maintaining audio recordings for 3 years unless instructions for continued storage are given by the sitting Board of Trustees; preserving paper and electronic records of the Society securely. Minutes of the Society and the Trustees are a permanent record of the Society, and shall be preserved forever. (f) The Treasurer is the custodian of the Society's funds and is responsible for keeping accounts, disbursing funds, and providing financial reports in accordance with the Board of Trustee's direction and Society policies. The Treasurer is responsible for submitting the Annual Budget for the Society, based on Executive Committee guidelines and suggestions, for the approval of the Board of Trustees.

The Treasurer shall perform the following: (1) comply with all financial and tax regulations with respect to any employees of the Society and shall file necessary reports, with the assistance of the Operations Manager; (2) cause all fees, dues, subscriptions and other financial obligations due this Society from any source to be collected and cause all bills to be paid when expenditures are recognized by the President with Board approval; (3) present a monthly financial account to the President, a financial report at Board meetings, and an Annual Report to the Membership; (4) provide that accounts shall be audited annually as provided in Chapter X. Section 1; (5) keep all moneys belonging to this Society distinctly separate from personal funds and all other funds; (6) prepare a proposed budget for the upcoming fiscal year, [: this shall be done] with the assistance of the Operations Manager and presented to the Board of Trustees, annually and in a timely fashion; (7) advise the Board of Trustees about the investment money of the Society, after obtaining current information from the best available sources; and (8) attend all General Membership Meetings of this Society and meetings of the Board of Trustees.
Amended: December 16, 2006; Ratified by Membership 4/1/2007

(g) The Trustees acting as a Board shall have the management and control of the affairs, business, and property of this corporate Society and subject to statutory provisions of the State of Vermont, the Articles of Association, and these By-Laws, may exercise all the powers of the corporation. In case of the absence of any Officer of this Society or for any other reason whatsoever that may seem sufficient to the Trustees, the Trustees may by majority vote at any meeting delegate the powers and duties of such Officer to any other Officer or Trustee.

(h) The Trustees-at-Large shall have the special auditing duties set forth in Chapter X, Section 1. They may in emergency situations, recognized by a majority of those in office, in writing by First Class Mail, or by return receipt e-mail, or verbally by telephone, or by any combination of these methods, call special Meetings of the whole Board of Trustees and/or special General Meetings and they may conduct such meetings when assembled by such calls. The Trustees-at-Large shall serve as check, balance, and stimulus to officers, Trustees and this Society as a

whole, having the right of independent scrutiny into any matter concerning this Society to which they may choose to address themselves, and making appropriate reports thereof to the Board of Trustees as a whole and/or to this Society as a whole. Amended: December 16, 2006; Ratified by Membership 4/1/2007

Section 3. Specific Requirements.

a) All Trustees shall be chosen from the Members in good standing of this Society, who are 18 years of age or older, and are citizens of the United States of America. Their term of office shall be four (4) years and shall serve until their successors are elected, appointed, and qualified, both in their capacities as Trustees and as specific elective Officers of the Society, subject to the provisions and exceptions set forth in Section 5 of Chapter VIII.
Amended: December 16, 2006; Ratified by Membership 4/1/2007

(b) A majority of Trustees in office and properly notified and present shall constitute a quorum for the transaction of any business which may properly come before them. A vote of a majority of Trustees present and voting shall constitute action of the Trustees. Any decision of the Trustees may be reconsidered or rescinded at a subsequent meeting of the Trustees by a two-thirds majority of those present. Amended: November 19, 2005;
December 16, 2006; Ratified by Membership 4/1/2007

(c) The day following the Annual General Meeting, the elected and re-elected trustees shall take office for the purpose of meeting and organizing for the new two (2) year term. At this Meeting they shall set in motion the affairs of the Society for the coming year, in accord with policy, authority, and instruction previously voted by the Members of this Society.

(d) The Trustees shall have the right to vest the Offices of Secretary and Treasurer in one person, when and if such procedure seems to be for the best interests of the Society. This shall be done only as an emergency and a temporary measure.

e) Trustees shall meet at least three (3) times a year. The President after consultation with the other Trustees shall issue the call for all meetings of the Trustees stating the time and place thereof. Such time shall not be less than twenty (20) days from the issuance of the call, except that this provision does not apply to the first meeting of the year, as this first Meeting shall convene automatically without notice the next day after the close of the Annual General Meeting, with time and location announced at the Annual General Meeting. Amended: December
16, 2006; Ratified by Membership 4/1/2007

(f) When it is impossible for a Trustee to attend a scheduled meeting, that trustee may participate by teleconference or video-conference if available. Alternatively a Trustee may submit votes relative to specific issues or questions listed in the call for such a meeting by mail, e-mail, fax, or telephone. These votes must be verified by return direct communications from the Secretary of the Society to the Trustee.

Amended: 7/30/2007 – Ratified by membership 6/16/2009.

Section 4. Until otherwise voted by this Society, no Official thereof shall receive any compensation for services rendered to the society.

Amended 4/14/2010 to remove the entire Section 5. Ratified by Membership Ballot 2011.

CHAPTER IX
ELECTIONS

Section 1. Nominating Committee. This Society shall have a Nominating Committee composed of Members in good standing. Its purpose and function is to nominate qualified candidates for election to the ASD Board of Trustees. This Nominating Committee shall have representation of each region and one appointee by the president. This appointee will call the first meeting. This Committee shall be appointed following elections of Trustees and Officers and shall serve until the next election. Said Committee shall elect its own Chairperson. It shall be the duty of this Committee to survey the entire Membership of this Society, including its Trustees, Officers, and Staff to prepare a list of candidates who are ready, willing, able, and qualified, to serve as Trustees of this Society. This list shall be presented in a timely manner/ to the existing Board of Trustees for information purposes only. The final list of

candidates shall be presented by the Committee Chairperson, to the secretary, and the Operations Manager, no later than 45 days prior to the scheduled date of ballot distribution.
Amended: 7/30/2007 – Ratified by membership 6/16/2009.
Amended: 4/07/2016

Section 2. The mail ballot shall follow the provisions of Section 5 of this Chapter and shall provide space for writein candidates of the voter's choice.

Section 3. Trustees and Officers of this Society may succeed themselves in office with the exception of Presidents who may succeed themselves as a Trustee but shall not serve more than two successive terms as President without a lapse of time.

Section 4. Trustees shall not serve on the Nomination Committee but may confer, with any or all of the Members of said Committee.

Section 5. Voting shall be by mail ballot for the election of Trustees, and/or for amendments to the By-Laws and other certain matters.

(a) Any candidate must receive at least thirty-five percent (35%) of the vote (a vote meaning a valid ballot. A valid ballot must have votes for at least one-third of the listed candidates on the ballot Invalid ballots are not to be counted)_ to be elected as a Trustee. Amended: December 16, 2006; Ratified by Membership 4/1/2007

(b) The voting packet shall contain the following:

1. Instructions for voting and returning by the required date (Section 6. (d) below)
2. A list of candidates for Trustees, with space provided for write-in candidates, and space for voting for each
3. Brief biographies of the candidates for Trustees
4. A list of any other issues or questions being brought to the membership and space for voting on each
5. A brief explanation of the effect of a vote on those issues or questions
6. A specially recognizable return envelope addressed to the Operations Manager
7. Space for the voter's signature on the back of the return envelope

(c) In order to vote by mail, application for (or renewal of) membership must be received at ASD Headquarters prior to the issuance of said ballots. Members in good standing shall be determined by Chapter III, Section 2.

(d) The Secretary shall send each Member a First Class mail ballot at least sixty (60) days prior to the election deadline. Said ballot must be received by the Operations Manager, American Society of Dowsers Headquarters, Danville, Vermont, on or prior to the election deadline.

(e) The mail ballots shall be retained at ASD Headquarters for no more than 90 days after the election deadline, during which time any challenges to the election process must be brought before the Board of Trustees. After 90 days without a challenge having been brought, the ballots shall be destroyed.

Section 6. At each election of Trustees, the ballots shall be received and all questions regarding the qualifications of voters be decided by three inspectors, who shall be the three members of the Auditing Committee. Such inspectors shall be sworn to faithfully perform their duties and shall report in writing the results of the ballot. Said report shall be published in an American Society of Dowsers publication.

Amended: December 16, 2006; Ratified by Membership 4/1/2007

Section 7. Qualifications for Write In Candidates: All Write In Candidates must have completed at least one term as an ASD Trustee. Amended: December 16, 2006; Ratified by Membership 4/1/2007

CHAPTER X
GENERAL MEMBERSHIP COMMITTEES

Section 1. Auditing.

(a) Members in good standing attending the General Meeting of this Society shall elect an Auditing Committee of three (3) Members of this Society to audit the accounts of the Treasurer of this Society.

(b) In the event the Membership fails to elect auditors, the annual Audit shall be in charge of the Trusteesat-Large who shall appoint said Auditing Committee of three (3) Members or hire a Certified Public Accountant to conduct the audit.

(c) The Audit shall include an examination of the accounts of the Treasurer of this Society and shall determine compliance with the procedures outlined in Chapter VIII, Section 2, (f) above. The auditors shall determine whether there is complete and accurate communication between the Offices of the President, Secretary and Treasurer in all matters relating to money and finance and shall make a report with recommendations to both the Trustees and the Members of this Society.

Section 2. Members in good standing attending a General Meeting of this Society may elect committees to consider particular subjects and may delegate to such committees such powers as they believe expedient.

Section 3. Every committee must report to the body that created it. (The Board of Trustees or as states in section 2)

(a) Any committee created is not an entity unto itself.
(b) Upon request, the committee Chairperson must submit a written report to the body that created it in a timely manner.

Amended: 7/30/2007 – Ratified by membership 6/16/2009.

CHAPTER XI
AMERICAN SOCIETY OF DOWSERS TRUST FUND (ASDTF)

Section 1. Purpose

This amendment to the Bylaws of the American Society of Dowsers (ASD) sets up the American Society of Dowsers Trust Fund (ASDTF). The purpose of this fund is to provide a safe vehicle for benefactors to contribute to the ongoing vitality of the American Society of Dowsers (ASD) by letting them donate to the ASDTF.

Section 2. Investment Trustee

The ASDTF is to be invested only by a government regulated or government sponsored professional trust company, to be called the Investment Trustee

Section 3. Trust Advisory Committee (TAC)

A Trust Advisory Committee of three current ASD members who preferably are financial advisors, accountants, or CPA's, will annually review the performance of the ASDTF Investment Trustee and recommend either leaving the funds with the current Investment Trustee or changing to a new Investment Trustee. Except for the first year, one new member will be elected each year by the general membership at the Annual General Meeting and serve for three years. The member having served for two years will become the Chairman of the Trust Advisory Committee in their third and last year. The Chairman will consult with the other two members, consult with the other two members, decide who the Investment Ttrustee should be for the coming year, and report to the Annual General Meeting. In the first year all three committee members will be chosen by the Annual General Meeting: one for a one year term, one for a two year term, and one for a three year term. The person chosen for the one year term will be Chairman the

first year. Resignations shall be filled by Presidential appointment until the next Annual General Meeting when the position will be filled by election.

Section 4. Investment Strategy
The Investment Trustee shall invest in high quality equity and high quality fixed income investments. In no case shall more than fifteen percent (15%) be invested in "alternative investments". The variance between equity and fixed income is to be determined by the expertise of the Investment Trustee and to be no more than twenty (20%) of the total fund, to be readjusted quarterly if necessary. Changes to this investment strategy may be made by the TAC upon consultation with, and recommendation of, the Investment Trustee.

Section 5. Initial Funds
Until the funds have reached an amount of $30,000 or until an Investment Trustee can be found to invest the funds, they shall be invested in certificates of deposit at the best rate possible to be determined by the Trust Advisory Committee (TAC) and no distribution shall be made.

Section 6. Distribution
At the end of each quarter (March 31, June 30, September 30, and December 31) the Investment Trustee will distribute up to one percent (1%) (depended upon the needs of the Society as determined by the Treasurer) of the average Market Value after fees of it's fund (to be determined by averaging the ending monthly Market Value of the ASDTF) to the ASD general checking account. In total the Investment Trustee will annually distribute up to four percent (4%) of the average monthly market value of the fund. If the Investment Trustee achieves a net annual return greater than 6 percent after all expenses and fees, two thirds of the difference between the 4 percent and their actual annual return may be distributed (dependent on the needs of the Society as determined by the Treasurer) the next year to the ASD general checking account at the same quarterly distributions.

Section 7. Reporting
The Investment Trustee will report fund performance quarterly to the ASD Treasurer, the Chairman of the ASDTF Committee, and the ASD Operations Manager.

Section 8. Amendments
Once adopted this amendment may only be changed by a seventy five percent (75%) affirmative vote of the ***entire current membership*** of the ASD at that time.

Section 9. Dissolution
In the event of dissolution of the American Society of Dowsers, this trust fund will be distributed to known legally recognized dowsing organizations, preferably current chartered ASD Chapters to be determined by the sitting ASD Trustees.
This chapter added 7/30/2007. Ratified by membership 6/16/2009.

CHAPTER XII
GENERAL MEMBERSHIP MEETINGS AND CONFERENCES

Section 1. A general meeting and a convention of the Members of this Society shall be held annually, the time and place to be determined by the Board of Trustees. The annual membership meeting of the ASD may be held anywhere in the United States, as approved by the BOT. The Secretary shall give each Member at least thirty-five (35) days notice in writing of General Meetings, the business to be transacted, and a program of the Meeting. Such notice shall be mailed to the last known address of the Member. The date of posting shall be accepted as the date of Notification. Amended: 7/30/2007 – Ratified by membership 6/16/2009.

Section 2. Special General Meetings of this Society shall be held whenever the Members authorize them or whenever the Trustees shall determine said meeting. Notice of these Meetings shall be given all Members as is given for the annual General Meeting.

Section 3. Any Notice required to be given by these By-Laws may be waived by the person entitled thereto and a failure to protest any lack of notice within ninety (90) days after Notice should have been given shall constitute waiver of required Notice and shall preclude all denials of legality of any nature based on deficiency of Notice.

Section 4. Each Member in good standing of this Society, attending a general meeting, shall be entitled to cast one vote on each matter, unless otherwise provided in these By-Laws under Chapter IX , Elections.

Section 5. A quorum at a General Meeting will be met when a simple majority of the entire membership is present. In the instance that there is no quorum at a General Meeting, new issues may be approved by a majority vote of those present, contingent upon ratification by the full membership. A ratification ballot will be mailed to the full membership no later than 60 days following the General Meeting returnable 45 days from the postmark.
Ratified by membership 4/1/2017

Section 6. Members are not permitted to vote by proxy.

Section 7 Conferences are open forums for education, research and publicity purposes only. A request to hold a conference must be made in writing and signed by a member in good standing who will sponsor and be responsible for the event. The Trustees must approve or disapprove all requests.

Chapter number incremented up by one 7/30/2007 to allow for new Chapter XI.

CHAPTER XIII
SEAL

Section 1. A Corporate Seal shall be provided by the Trustees of a form and design to be determined by the Trustees.

Section 2. The President shall have custody of the Official Seal of this Corporate Society and shall affix said Seal to any instrument requiring the same.

Section 3. The Secretary shall, by signature, attest the Official Seal of this Corporate Society to any instrument whereon such Seal is properly affixed.

Chapter number incremented up by one 7/30/2007 to allow for new Chapter XI.

CHAPTER XIV
AMENDMENTS

Section 1. These By-Laws may be altered, amended or repealed by two-thirds (2/3) of the votes cast by those members in good standing of this Society, as provided by Chapter IX, Section 5.

Section 2. The Trustees, by two-thirds (2/3) vote of all Trustees in office and available, may alter, amend, or repeal these ByLaws at any Meeting of Trustees, provided thirty-five (35) days Notice in writing shall have been given to each of the Trustees of the proposed alteration, amendment, or repeal and provided the changes proposed do not infringe upon the rights of the General Membership of this Society or do not alter the fundamental concepts and purposes of this Society. The required Notice may be served personally upon a Trustee or by mailing it to the last known address of the Trustee. The date of the posting shall be accepted as the date of Notification. Said changes to these By-Laws must be ratified by a majority vote of the membership as provided for in Chapter IX Section 5, however, said changes that do not change the voting process, will be in full force until such ratification by the membership and immediately rescinded upon lack of ratification.

Amended: December 16, 2006; Ratified by Membership 4/1/2007. Chapter number incremented up by one 7/30/2007 to allow for new Chapter XI.

CHAPTER XV
CODE OF ETHICS

Section 1. Code of Ethics for Members.

(a) Members shall be guided in all their relationship with the public by the highest standards of personal integrity.

(b) Members shall uphold before the public at all times the dignity and reputation of the Society.

(c) Members shall avoid and discourage sensationalism, exaggeration, undignified and unwarranted statements, or misleading advertisements.

(d) Members shall refuse to undertake work which may be of questionable value or results without first advising as to the probability of success.

(e) Members shall not willfully use or attempt to use their Membership in this Organization as evidence of their qualifications as a dowser or as a measure of ability or proficiency.

(f) Members in good standing may mention their membership in their resumes and biographies. With written approval of ASD's Executive Committee, members may exhibit or use the name or logo of this society on any letterhead or stationary, on any personal or business cards, and in any advertising of a personal, business or professional nature.

Section 2. Disciplinary Process.

Any Member, Trustee or Officer, may be reprimanded, suspended, removed from office or lose their membership by a 2/3 vote of the full BOT if shown to be guilty of misconduct. Examples of misconduct would include: (1) Violating the Code of Ethics. (2) The abuse or misuse of power. (3) Personal activities prejudicial to the best interests of the Society, including placing personal interests ahead of those of the Society. (4) Slanderous remarks against another member affecting their ability to carry out their duties. (5) Any other form of misconduct not listed above.

A grievance or complaint may be filed by either party to the action, or by a third party who has observed the action, and will be taken to their Chapter President. If no resolution can be found, it will then advance, in sequence of appeal, to their Regional Coordinator, the Executive VP and finally to the BOT, who will assemble as the Ethics Committee. From this point on, the BOT and Ethics Committee terms are interchangeable
Ratified by membership 4/1/17.

(a) If the grievance or complaint is brought by a member not associated with a chapter, they will start the process with their region's RVP.

(b) If a party to the grievance chooses not to participate at any level of the process, the process will go forward without their participation.

(c) Responsibilities of the BOT in such matters:

(1) Should a crisis situation arise, the entire Board will be notified. A majority vote of a quorum of the BOT may take any and all actions necessary to contain or address the problem, in the best interests of the Society, until a full board meeting may be held, regardless of any inconsistency between this action and these bylaws. Such actions shall be limited to responding to the immediacy of the crisis, and nothing more.

(2) A Trustee who is the subject of charges shall not participate or vote in the BOT decision and the vote will be adjusted accordingly.

(3) Charges against a Member, Trustee or Officer and all related evidence will be offered in written statements under oath to the President for review by the Trustees. A written statement submitted to any person or group in this process shall be considered taken under oath. If it is found that a statement is false, the person or persons submitting the false statement will immediately lose their membership in ASD by a majority vote of the BOT. Notification of the dismissal will be made in a timely manner.

(4) After receipt of complete written statements under oath from Complainant and Defendant, the President will distribute said copies to the full BOT (Ethics Committee) for evaluation. The BOT will make and record their decision by a 2/3 vote, including disciplinary actions, within 30 days. That decision will be expeditiously communicated to all parties involved. This decision is final and not subject to further appeal.

(5) Anyone whose membership has been terminated by expulsion may reapply for Membership after two (2) years provided any sum owed to the Society under Chapter IV Section 3 by such applicant be first paid in full. The BOT will then review the application and vote its acceptance or denial. If denied the applicant may reapply again after another two years. Any Member, Trustee or Officer removed from their position due to an ethics violation and wishing to hold office again at any level must first gain approval of the BOT by a majority vote.

Amended: December 16, 2006; Ratified by Membership 4/1/2007. Amended: 7/30/2007 – Ratified by membership 6/16/2009. Chapter number incremented up by one 7/30/2007 to allow for new Chapter XI. Amended 4/14/2010 to add the entire Section 2. Ratified by Membership Ballot 2013.

CHAPTER XVI
STATEMENT OF ADOPTION

By-Laws were first adopted by the Incorporators of The American Society of Dowsers, Inc., in Meeting assembled, in the Town of Brandon, County of Rutland, and State of Vermont on the Twenty-third day of July, in the year One Thousand Nine Hundred Sixty-one, A. D.

Chapter number incremented up by one 7/30/2007 to allow for new Chapter XI.

REVISIONS, AMENDMENTS, PRINTINGS

Ninth Printing - September 19, 1986
Tenth Printing - September 14, 1989
Eleventh Revision - September 13, 1990
Twelfth Revision - January 19, 1991
Thirteenth Revision - July 3, 1991
Fourteenth Revision - September 17, 1992
Fifteenth Revision - August 2, 1994 (all changes from 1992 - 1994)
Sixteenth Revision - July 27, 1995
Seventeenth Revision - April 28, 1997 (all current changes included)
Eighteenth Revision - April 3, 1998 (with corrections May 4, 1998)
Nineteenth Printing/Amendment - July 30, 1999
Twentieth Revision - August 2, 1999
Twenty-first Revision - June 12, 2000
Twenty-second Revision - September 25, 2000
Twenty-third Revision- April 25, 2001
Twenty-forth Revision – October 15, 2003 –Chapter I thru Chapter VIII
Twenty-fifth Revision – November 23, 2003 – Chapter IX thru Chapter XV
Twenty-sixth Revision – May 5, 2004 – Officers elect meeting (in Ch.VIII)
Twenty-seventh Revision – September 26, 2004 (clarification of terms)
Twenty-eighth Revision - November 19, 2005
Twenty-ninth Revision – December 16, 2006
Thirtieth Revision – April 1, 2007
Thirty-first Revision – July 30, 2007 Added new Chapter XI ASDTF, amended Chapter XV Code of Ethics, Ratified by membership 6/16/2009
Thirty-second Revision – April 14, 2010 Changes in Chapters III, VIII, and XV. Ratified by Membership Ballot 2013.

PREAMBLE

TO THE BY-LAWS OF THE AMERICAN SOCIETY OF DOWSERS, INC.

Dowsing is a faculty employed with intent to expand the perceptive abilities of its practitioner beyond threedimensional limitations. It is a most ancient, varied craft, as ancient and varied as humanity itself. Dowsing has roots, among all manner of peoples, lands, and epochs. There seems to exist an ageless natural knowledge, that enables us to identify ourselves with an unknown source of being and becoming; it is of primary significance, joining Earth, sea, and stars.

Explanation of dowsing's whys and wherefores is still far from satisfactory, but to refuse to explore the unexplainable simply because it cannot presently be explained is unscientific and irresponsible. Dowsing is fact.

As awareness grows, the public mind should recognize that, when based on ample training, experience, and talent, dowsing is a most useful skill, applicable to many fields of human activity.

Spiritual pride is to be avoided by the dowser. Psychic powers, intellectual aptitudes, or physical skills are useless unless applied for the benefit of all, because they bring increased sensitivity. These may properly be expressed only in an increasing awareness of the oneness of all life and in greater love for the whole of humanity.

Any activity that investigates, perpetuates, and expands humankind's lore, mysteries, beliefs, traditions, and useful abilities should command at once loyalty and service. In the energizing of such activity, the power generated in and by a group of interested persons is greater by far than the sum of its numbers.

Upon these concepts THE AMERICAN SOCIETY OF DOWSERS, INC. is founded.

Amended: November 6, 1996; October 15, 2003, December 16, 2006; Ratified by Membership 4/1/2007

BY-LAWS OF THE AMERICAN SOCIETY OF DOWSERS, INC.

CHAPTER I

NAME

The name of this organization shall be THE AMERICAN SOCIETY OF DOWSERS, INC., a nonprofit corporation of the State of Vermont in the United States of America.

CHAPTER II

PURPOSES

Section 1. The purposes of this Society shall be:

(a) to support, encourage and promote dowsing and dowsers in a manner consistent with the highest standards of personal integrity and behavior;

(b) to establish and maintain Focus Groups to bring like-minded Dowsers together to use their dowsing abilities to concentrate on, and bring solutions to, specific problem areas in society and/or the world;

(c) to establish and maintain a Register of Professional Dowsers for each Focus Group;

(d) to establish and maintain an Educational Program for each Focus Group with an Instructor Registry and curriculum to educate and guide each Focus Group to a high level of success;

(e) to promote and foster communication and fellowship among all persons in any way interested in dowsing, for the enjoyable social sharing of this common interest;

(f) to build in America an effective, responsible body of men and women devoted to active investigation, study and application of dowsing;

Amended: 7/30/2007 – Ratified by membership 6/16/2009.

(g) to advance dowsing knowledge and practice in every beneficial branch, phase, and aspect thereof;

(h) to encourage the application of methods of modern scientific inquiry to dowsing so a body of scientific information relating to it may evolve;

(i) to offer evidence of dowsing's realm of usefulness to humankind;

(j) to give all possible assistance and encouragement to the quickening and development of the dowsing faculty to the end that dowsing may become part of the culture of modern people.

Section 2. It is the basic purpose of this Society to nurture the dowsing faculty and to encourage its general development and demonstration.

Amended: 7/30/2007 – Ratified by membership 6/16/2009.

Section 3. This Society is wholly a non-stock, nonprofit, non-commercial corporation.

Section 4. This Society is an independent organization but it shall at all times endeavor to promote and maintain cordial and mutually helpful relations with organizations having similar or pertinent purposes in the United States and in other countries.

Section 5. The Society has organizational boundaries. It is of the United States of America and its territories. However, dowsing has no boundaries, only frontiers. In applying the methods of modern scientific inquiry to dowsing, the principles of scientific freedom and responsibility shall have this goal: that science is the search for truth.

CHAPTER III
MEMBERSHIP

Section 1. Any responsible person of good character and repute, regardless of age, sex, race, color, national origin, or other affiliation, who is sincerely interested in any phase of the faculty, craft, skill, talent, art, technique, and/or science of dowsing or in any matter related or pertinent thereto, may be admitted to Membership in this Society in accordance with Section 3 of this Chapter. That person may retain Membership in good standing by paying the fees, dues, and subscriptions established from time to time by this organization and by fulfilling other obligations stated in these ByLaws or otherwise determined from time to time by this Society, including its Code of Ethics.

Section 2. Good standing in the Membership of this Society shall consist not only of the payment in full of all financial obligations assumed by each Member but also in observance of the spirit as well as the letter of these By-laws, including the Preamble, ethics and such other rules and regulations as may be established by this Society from time to time.

Section 3. The Membership of this Society shall consist of Members, Junior Members, Special Members, and Honorary Members.

(a) The grade of Member shall be available to all persons who are eighteen (18) years of age or older who qualify under Sections 1 and 2 above. For the purposes of the By-Laws, a person shall be deemed to be eighteen (18) years of age the day of his or her 18th birthday.

(b) The grade of Junior Member shall be available to all persons not yet eighteen (18) years of age who qualify under Sections 1 and 2 above. Junior Members shall have all the privileges of the Society except voting and holding office.

(c) Special dues paying Members shall be designated at the vote of the Society under such terms and conditions as seem appropriate (for example Family Membership, Life Membership, Family Life Membership) and shall be available to all persons who qualify under Sections 1 and 2 above. A Family Membership and a Family Life

Membership are defined as two individuals plus children under 18 years of age. The dues for these Memberships are 1.5 times that of the corresponding Individual Memberships. When children reach age 18 they must then join as an individual. Family Lifetime Memberships are not available to individuals under 18 years of age but they (Individuals under 18) may join as an Individual Life Member. Family Memberships and Family Life Memberships are not transferable, i.e. from the current spouse of an individual to a different spouse for that individual. Family Memberships receive only one copy of any ASD Publications.

Amended: 7/30/2007 – Ratified by membership 6/16/2009. Ratified by membership 4/2015

(d) Honorary Members. Should the Society wish to honor a Member or some person or persons for generous contribution or distinctive service to this Society or to its objectives, then in each case this Society may vote to grant such persons Honorary Membership herein (for example Honorary Membership, Honorary Life Membership) under such terms and conditions as seem most appropriate in each case.

Section 4. Application for Membership shall be sent to the Operations Manager, at the Headquarters Office of ASD, who will carry out all the steps necessary for the enrollment of a new Member.

Section 5. A Member in good standing may resign by presenting a resignation in writing to the Operations Manager of this Society.

Section 6. Anyone whose Membership has been terminated by nonrenewal or resignation may at any time reapply for Membership. Reinstatement of membership for anyone who has resigned must have their application approved by a majority vote of the BOT. If the applicant is not approved, they may reapply in another two years. Reinstatement of membership for anyone who has resigned is not guaranteed.

Amended 4/14/2010 to remove original Sections 6, 7, and 8 and add a new Section 6. Ratified by Membership Ballot 2011.

CHAPTER IV MEMBER FINANCIAL OBLIGATIONS

Section 1. Year defined.

(a) The annual Financial Accounting Period or Fiscal Year of this Society shall be from January 1st to December 31st.

(b) A Membership Year shall include the annual Membership Meeting.

Section 2. All financial obligations, as Dues, Subscriptions, etc., of each Member shall be fixed by the Trustees of this Society with the advice of the Treasurer. The financial obligations assessed upon a Junior Member shall automatically be fifty (50) percent of the financial obligations of a Member. Entrance Fees to any American Society of Dowsers, Inc. sponsored event, such as the Annual Convention and Schools, shall be fixed by Committee with the approval of the Board of Trustees.

Section 3. Any Member who resigns after January 1st of any year shall be liable for the financial obligations of that fiscal year.

Section 4. Member in Arrears.

(a) Any Member whose financial obligations are in arrears at the time of any General Meeting shall not be entitled to vote or exercise any of the privileges of a Member.

(b) If a Member's subscription to a Society publication is in arrears more than two (2) months, the Member shall not be entitled to receive the publication again until the subscription is reinstated.

CHAPTER V
HEADQUARTERS

The location of the principal or Headquarters Office of this Society shall be the Town of Danville, County of Caledonia, in the State of Vermont.

CHAPTER VI
GOVERNMENT

Section 1. General.

(a) This Society shall be governed and managed in full accord with democratic principles. The governing powers shall generally be exercised by the Members in a General Meeting.

(b) The affairs of this Society shall be actively conducted by its duly elected Trustees. These Trustees shall be accountable to the Membership of the Society in all matters of Society business, and shall at all times conduct the business of the Society in accord with its Articles of Association, its By-Laws, including the Preamble, and with policy, authority, and instruction voted by the Members in a General Meeting. Amended: December 16, 2006; Ratified by Membership 4/1/2007

(c) The rules contained in the current edition of Robert's Rules of Order, shall govern this organization in all procedures not covered by this Society's By-Laws, provided such procedures are not in conflict with statutory regulations enacted by the State of Vermont for corporate bodies such as this.

CHAPTER VII
CHAPTERS AND/OR REGIONAL SUBDIVISIONS

Section 1. The executive powers of the Trustees shall include the authority to create regional divisions or branches and local Chapters of this Society that shall be subordinate to this Society and subject to its Articles of Association, Preamble, and By-Laws. Each individual Member of such subdivisions shall be a Member of this Society subject to all of its rules, regulations, and enactments. Each Chapter in a division or branch shall be a Chapter duly authorized by this Society.

Section 2. Formation.

(a) Eight (8) or more Members of this Society residing within a limited, designated area, may petition the Trustees of this Society for a dispensation to organize a local Chapter. Three (3) duly organized Chapters within a limited, designated region, may petition the Trustees for a dispensation to establish a district or regional division or branch.

(b) The disposition made of such petitions shall always carefully consider the merits of each petition from the point of view of advancing the best interests of this Society as a whole.

(c) In the event any such petition shall be denied by the Trustees and the petitioners are dissatisfied with the action of the Trustees, said petitioners may, upon written notice to all Members, present their petition to a regular General Meeting of the Members of this Society for final disposition. At such meeting a two-thirds (2/3) vote of all Members present and voting shall be required to override the action of the Trustees.

(d) Charter Approval - Name Change: The Board of Trustees shall be notified in writing of any proposed change in name and/or service area. The Board shall approve or disapprove the proposed change(s). If approved, a new charter for that Chapter will be issued, thereby negating that Chapter's former charter.

(e) Charter Approval - Newly Merged: If two or more Chapters choose to merge, they shall apply to the Board of Trustees to be chartered as a new Chapter. The old Chapters shall then be considered dissolved under their existing charters.

Section 3. All Members of this Society residing within the territory of any subdivision thereof shall be eligible for Membership in that subdivision. No person shall be admitted to Membership in any subdivision until after their admission into this Society in the manner provided by its By-Laws, nor until the individual has paid the fees, dues, subscriptions, and other financial obligations fixed by this Society. Any Member suspended or expelled, or in any other way losing Membership in this Society, shall thereupon cease to be a Member of any subdivision. (Nonmembers are classified as guests)

Section 4. Each duly organized subdivision of this Society may make such By-laws, rules and regulations for its own government as do not conflict with the Articles of Association, Preamble and By-Laws of this Society, or with its policies.

Section 5. Finances.

(a) Funds received by any division, Chapter, branch, or subdivision of this Society shall not accrue to the benefit of any individual Officer or Member thereof. In the event of the dissolution of any division, Chapter, branch or subdivision of this Society, all funds in its hands shall promptly be transferred to the Headquarters of this Society after payment of its just debts. Said funds derived from a dissolution shall be held in escrow by ASD Headquarters and shall be used solely for establishing new chapters or subdivisions. Ratified by membership 4/2015

(b) Chapter Funds: Chapters choosing to merge to form a new chapter shall keep any existing funds respectively separate until charter approval (by the Board of Trustees) of the newly merged chapter and/or forward their funds to ASD in accordance with the Constitution and By-Laws of ASD, Chapter VII, Section 5, Paragraph (a).

(c) Each division, Chapter, branch, or subdivision of this Society shall by January 31st, submit an Annual Report for the calendar year to the President and Treasurer of this Society giving the names and addresses of current officers with contact information, federal/state identification numbers, number of members, location of meetings, providing the following information as required by Federal law: income, expenditures, assets and liabilities and cash-on-hand.

Amended: 7/30/2007 – Ratified by membership 6/16/2009.
Amended: 4/14/2010 _ Ratified by Membership Ballot 2011
Ratified by Membership 4/2015

Section 6. As soon as they are substantial enough to do so, Chapters are advised to give serious consideration to incorporation in the State of their domicile, as nonprofit, educational, and scientific institutions and to apply to the tax or revenue boards of their State treasury departments for fully tax exempt status: meaning that dues and contributions to them shall be tax deductible and the Chapters themselves shall be exempt from State taxes. Before filing their Articles of Incorporation in their home states, Chapters shall submit same to Headquarters of this Society for approval by Society Counsel and a committee of Trustees.

Section 7. Chapters and Divisions are created for (a) the benefit, use, and, convenience of the Members of this Society and (b) for the promotion of the purposes, objectives, policies, and ideals of this Society.

CHAPTER VIII

BOARD OF TRUSTEES AND EXECUTIVE OFFICERS

Section 1. Trustees and Executive Officers

(a) Number of Trustees. This Society shall have a maximum of 14 elected Trustees. And no less than Three (3) Trustees to be compliant with State of Vermont requirements. Trustees shall be elected biennially by mail ballot as per Chapter IX, Section 5 for four (4) year terms. In the event the number of Trustees decreases to 7 or less, additional Trustees shall be appointed by the remaining trustees to bring the number of Trustees to 8, but only for the purpose of serving until the next biennial election or to fill unexpired terms. Four (4) or more of these Trustees shall serve as Executive Officers, i.e. President, Executive Vice President or Vice Presidents, Secretary, and Treasurer, and the remaining shall serve as overall, general management Officers and these will be referred to hereafter herein as Trustees-at-Large. Regional Coordinators may be selected from the elected Trustees, however being a Trustee or Former Trustee is not a prerequisite for being a Regional Coordinator.
Ratified by Membership 4/2015
Ratified by Membership 4/2017

(1) In the first year of implementation, there will be seven (7) Trustees elected to 2 year terms and seven (7) Trustees elected to 4 year terms. Trustees receiving the most votes will be given the choice of choosing a 4 year or a 2-year term until there are 7 of one or the other. The remaining elected trustees will be given the other term that remains unfilled. In the next biennium the 2 year positions will be refilled by electing trustees to new 4 year terms and the 2 year positions eliminated.

Amended: December 16, 2006; Ratified by Membership 4/1/2007

(b) Officers Elect. Trustees and Trustees Elect shall hold a meeting to choose their Executive Officers Elect (President, Executive Vice President, Secretary and Treasurer) prior to the annual convention in the year they are elected. The President Elect may appoint interim officers, in case of loss of an officer elect, to serve until the first Board meeting of the new term. All Executive Officers shall hold a term of (2) years and may be re-elected in accordance with the other sections on these By-Laws. Amended: December 16, 2006; Ratified by Membership 4/1/2007; Ratified by Membership 4/2015

Section 2. Duties of Officers

(a) The President shall: (1) preside at all Meetings of the Society and of the Trustees and perform all other functions usual to the office; (2) serve as a member of all committees with the exception of the Nominating Committee and shall serve without vote; (3) direct the affairs of this organization subject to the authority and direction of the General Assemblies or Meetings of this Society and of the Trustees; (4) Devote a reasonable amount of time to ways and means for the continuation and extension of this Society; (5) appoint and designate members of all committees not otherwise created with the advice, consent, and confirmation of the Trustees; (6) issue the calls for regular and special Meetings of the Trustees. Such calls shall be in writing stating the business to be considered, the time, and the place of the meetings: that time shall not be less than twenty (20) days from the issuance of the call; (7) prepare and present a report at each Annual General Meeting of the Members of this Society: this report shall include such suggestions and recommendations as the President may see fit to incorporate therein; (8) between annual General Meetings, the President, with the advice, consent, and confirmation of the Trustees or by authority received from the General Meeting, may appoint Members of the Society to serve as Historian and Regional Coordinator, and chair of any identified committees. The Historian will maintain a general historical record of the affairs of the Society. A Regional Coordinator will serve as the local official resident representative of the Trustees within the assigned geographical region. The President shall present substantive changes in the operations of the Society to the Trustees for review and approval before being activated, except that in performing this duty the President is authorized to expend Society funds, not to exceed Five Hundred Dollars ($500.00) on any single project prior to its presentation to the Trustees. Amended: December 16, 2006; Ratified by Membership 4/1/2007, Ratified by Membership 4/2015, Ratified by Membership 4/2017

(b) The Executive Vice President shall do the following: (1) preside at meetings of the Society and its Trustees in the absence of the President and shall act for the President in case of disability; (2) actively aid and assist the President in directing the affairs of this organization and undertake such special assignments as may be given by the President or Trustees; and (3) upon the death, resignation, or incapacity of the President, succeed and assume all

duties, prerogatives, responsibilities, as well as the title of President and shall so serve until the next General Membership Election of the Society.

(c) All Vice Presidents shall have only such duties as shall be assigned to them by the Board of Trustees of this Society.

(d) In the event of the Office of President becoming vacant and there is no successor such as indicated in (b) 3 above to fill it, then the Trustees shall elect one of their number as President. That individual shall serve the unexpired term of President. The Secretary shall record the votes cast and shall inform the Trustees of election results.

(e) The Secretary shall perform the following: (1) attend all General Membership Meetings of the Society and all Meetings of the Board of Trustees; (2) keep a true record of all proceedings of General Membership Meetings of the Society and of the Board of Trustees; (3) keep both written and audio recorded records; (4) deliver the minutes and all audio recordings of such proceedings to the American Society of Dowsers, Inc. Headquarters Office within thirty (30) days of said meeting; (5) maintain a current status of the terms of the elected trustees of the organization, (6) maintain a record of all updates of the By-Laws of the organization, proposed and approved, (7) when relieved of duties, within 10 days deliver all records, files, correspondence and any other ASD property to the ASD headquarters; (8) perform or cause the following to happen: (i) securing all records in a secure and fire protected area (ii) maintaining audio recordings for 3 years unless instructions for continued storage are given by the sitting Board of Trustees; preserving paper and electronic records of the Society securely. Minutes of the Society and the Trustees are a permanent record of the Society, and shall be preserved forever. Ratified by Membership 4/2015

(f) The Treasurer is the custodian of the Society's funds and is responsible for keeping accounts, disbursing funds, and providing financial reports in accordance with the Board of Trustee's direction and Society policies. The Treasurer is responsible for submitting the Annual Budget for the Society, based on Executive Committee guidelines and suggestions, for the approval of the Board of Trustees.

The Treasurer shall perform the following: (1) comply with all financial and tax regulations with respect to any employees of the Society and shall file necessary reports, with the assistance of the Operations Manager; (2) cause all fees, dues, subscriptions and other financial obligations due this Society from any source to be collected and cause all bills to be paid when expenditures are recognized by the President with Board approval; (3) present a monthly financial account to the President, a financial report at Board meetings, and an Annual Report to the Membership; (4) provide that accounts shall be audited annually as provided in Chapter X. Section 1; (5) keep all moneys belonging to this Society distinctly separate from personal funds and all other funds; (6) prepare a proposed budget for the upcoming fiscal year, [: this shall be done] with the assistance of the Operations Manager and presented to the Board of Trustees, annually and in a timely fashion; (7) advise the Board of Trustees about the investment money of the Society, after obtaining current information from the best available sources; and (8) attend all General Membership Meetings of this Society and meetings of the Board of Trustees.
Amended: December 16, 2006; Ratified by Membership 4/1/2007

(g) The Trustees acting as a Board shall have the management and control of the affairs, business, and property of this corporate Society and subject to statutory provisions of the State of Vermont, the Articles of Association, and these By-Laws, may exercise all the powers of the corporation. In case of the absence of any Officer of this Society or for any other reason whatsoever that may seem sufficient to the Trustees, the Trustees may by majority vote at any meeting delegate the powers and duties of such Officer to any other Officer or Trustee.

(h) The Trustees-at-Large shall have the special auditing duties set forth in Chapter X, Section 1. They may in emergency situations, recognized by a majority of those in office, in writing by First Class Mail, or by return receipt e-mail, or verbally by telephone, or by any combination of these methods, call special Meetings of the whole Board of Trustees and/or special General Meetings and they may conduct such meetings when assembled by such calls. The Trustees-at-Large shall serve as check, balance, and stimulus to officers, Trustees and this Society as a whole, having the right of independent scrutiny into any matter concerning this Society to which they may choose to address themselves, and making appropriate reports thereof to the Board of Trustees as a whole and/or to this Society as a whole. Amended: December 16, 2006; Ratified by Membership 4/1/2007

Section 3. Specific Requirements.

(a) All Trustees shall be chosen from the Members in good standing of this Society, who are 18 years of age or older, and are citizens of the United States of America. Their term of office shall be four (4) years and shall serve until

their successors are elected, appointed, and qualified, both in their capacities as Trustees and as specific elective Officers of the Society, subject to the provisions and exceptions set forth in Section 5 of Chapter VIII.
Amended: December 16, 2006; Ratified by Membership 4/1/2007

(b) A majority of Trustees in office and properly notified and present shall constitute a quorum for the transaction of any business which may properly come before them. A vote of a majority of Trustees present and voting shall constitute action of the Trustees. Any decision of the Trustees may be reconsidered or rescinded at a subsequent meeting of the Trustees by a two-thirds majority of those present. Amended: November 19, 2005; December 16, 2006; Ratified by Membership 4/1/2007

(c) The day following the Annual General Meeting, the elected and re-elected trustees shall take office for the purpose of meeting and organizing for the new two (2) year term. At this Meeting they shall set in motion the affairs of the Society for the coming year, in accord with policy, authority, and instruction previously voted by the Members of this Society.

(d) The Trustees shall have the right to vest the Offices of Secretary and Treasurer in one person, when and if such procedure seems to be for the best interests of the Society. This shall be done only as an emergency and a temporary measure.

(e) Trustees shall meet at least three (3) times a year. The President after consultation with the other Trustees shall issue the call for all meetings of the Trustees stating the time and place thereof. Such time shall not be less than twenty (20) days from the issuance of the call, except that this provision does not apply to the first meeting of the year, as this first Meeting shall convene automatically without notice the next day after the close of the Annual General Meeting, with time and location announced at the Annual General Meeting. Amended: December 16, 2006; Ratified by Membership 4/1/2007

(f) When it is impossible for a Trustee to attend a scheduled meeting, that trustee may participate by teleconference or video-conference if available. Alternatively, a Trustee may submit votes relative to specific issues or questions listed in the call for such a meeting by mail, e-mail, fax, or telephone. These votes must be verified by return direct communications from the Secretary of the Society to the Trustee.

Amended: 7/30/2007 – Ratified by membership 6/16/2009.

Section 4. Until otherwise voted by this Society, no Official thereof shall receive any compensation for services rendered to the society.

Amended 4/14/2010 to remove the entire Section 5. Ratified by Membership Ballot 2011.

CHAPTER IX
ELECTIONS

Section 1. Nominating Committee. This Society shall have a Nominating Committee composed of Members in good standing. Its purpose and function is to nominate qualified candidates for election to the ASD Board of Trustees. This Nominating Committee shall have representation of each region and one appointee by the president. This appointee will call the first meeting. This Committee shall be appointed following elections of Trustees and Officers and shall serve until the next election. Said Committee shall elect its own Chairperson. It shall be the duty of this Committee to survey the entire Membership of this Society, including its Trustees, Officers, and Staff to prepare a list of candidates who are ready, willing, able, and qualified, to serve as Trustees of this Society. This list shall be presented in a timely manner/ to the existing Board of Trustees for information purposes only. The final list of candidates shall be presented by the Committee Chairperson, to the secretary, and the Operations Manager, no later than 45 days prior to the scheduled date of ballot distribution.
Amended: 7/30/2007 – Ratified by membership 6/16/2009. Amended: 4/07/2016

Section 2. The mail ballot shall follow the provisions of Section 5 of this Chapter and shall provide space for write-in candidates of the voter's choice.

Section 3. Trustees and Officers of this Society may succeed themselves in office with the exception of Presidents who may succeed themselves as a Trustee but shall not serve more than two successive terms as President without a lapse of time.

Section 4. Trustees shall not serve on the Nomination Committee but may confer, with any or all of the Members of said Committee.

Section 5. Voting shall be by mail ballot for the election of Trustees, and/or for amendments to the By-Laws and other certain matters.

(a) Any candidate must receive at least thirty-five percent (35%) of the vote (a vote meaning a valid ballot. A valid ballot must have votes for at least one-third of the listed candidates on the ballot. Invalid ballots are not to be counted) *to* be elected as a Trustee. Amended: December 16, 2006; Ratified by Membership 4/1/2007

(b) The voting packet shall contain the following:

1. Instructions for voting and returning by the required date (Section 6. (d) below)
2. A list of candidates for Trustees, with space provided for write-in candidates, and space for voting for each
3. Brief biographies of the candidates for Trustees
4. A list of any other issues or questions being brought to the membership and space for voting on each
5. A brief explanation of the effect of a vote on those issues or questions
6. A specially recognizable return envelope addressed to the Operations Manager
7. Space for the voter's signature on the back of the return envelope

(c) In order to vote by mail, application for (or renewal of) membership must be received at ASD Headquarters prior to the issuance of said ballots. Members in good standing shall be determined by Chapter III, Section 2.

(d) The Secretary shall send each Member a First Class mail ballot at least sixty (60) days prior to the election deadline. Said ballot must be received by the Operations Manager, American Society of Dowsers Headquarters, Danville, Vermont, on or prior to the election deadline.

(e) The mail ballots shall be retained at ASD Headquarters for no more than 90 days after the election deadline, during which time any challenges to the election process must be brought before the Board of Trustees. After 90 days without a challenge having been brought, the ballots shall be destroyed.

Section 6. At each election of Trustees, the ballots shall be received and all questions regarding the qualifications of voters be decided by three inspectors, who shall be the three members of the Auditing Committee. Such inspectors shall be sworn to faithfully perform their duties and shall report in writing the results of the ballot. Said report shall be published in an American Society of Dowsers publication.

Amended: December 16, 2006; Ratified by Membership 4/1/2007

Section 7. Qualifications for Write in Candidates: All Write in Candidates must have completed at least one term as an ASD Trustee. Amended: December 16, 2006; Ratified by Membership 4/1/2007

CHAPTER X
GENERAL MEMBERSHIP COMMITTEES

Section 1. Auditing.

(a) Members in good standing attending the General Meeting of this Society shall elect an Auditing Committee of three (3) Members of this Society to audit the accounts of the Treasurer of this Society.

(b) In the event the Membership fails to elect auditors, the annual Audit shall be in charge of the Trustees at-Large who shall appoint said Auditing Committee of three (3) Members or hire a Certified Public Accountant to conduct the audit.

(c) The Audit shall include an examination of the accounts of the Treasurer of this Society and shall determine compliance with the procedures outlined in Chapter VIII, Section 2, (f) above. The auditors shall determine whether there is complete and accurate communication between the Offices of the President, Secretary and Treasurer in all matters relating to money and finance and shall make a report with recommendations to both the Trustees and the Members of this Society.

Section 2. Members in good standing attending a General Meeting of this Society may elect other members of the Society to such committees to consider particular subjects and may delegate to such committees such powers as they believe expedient. Ratified by Membership 4/2015

Section 3. Every committee must report to the body that created it. (The Board of Trustees or as states in section 2)

(a) Any committee created is not an entity unto itself.
(b) Upon request, the committee Chairperson must submit a written report to the body that created it in a timely manner.

Amended: 7/30/2007 – Ratified by membership 6/16/2009.

CHAPTER XI
AMERICAN SOCIETY OF DOWSERS TRUST FUND (ASDTF)

Section 1. Purpose
This amendment to the Bylaws of the American Society of Dowsers (ASD) sets up the American Society of Dowsers Trust Fund (ASDTF). The purpose of this fund is to provide a safe vehicle for benefactors to contribute to the ongoing vitality of the American Society of Dowsers (ASD) by letting them donate to the ASDTF.

Section 2. Investment Trustee
The ASDTF is to be invested only by a government regulated or government sponsored professional trust company, to be called the Investment Trustee

Section 3. Trust Advisory Committee (TAC)
A Trust Advisory Committee of three current ASD members who preferably are financial advisors, accountants, or CPA's, will annually review the performance of the ASDTF Investment Trustee and recommend either leaving the funds with the current Investment Trustee or changing to a new Investment Trustee. Except for the first year, one new member will be elected each year by the general membership at the Annual General Meeting and serve for three years. The member having served for two years will become the Chairman of the Trust Advisory Committee in their third and last year. The Chairman will consult with the other two members, consult with the other two members, decide who the Investment Trustee should be for the coming year, and report to the Annual General Meeting. In the first year all three committee members will be chosen by the Annual General Meeting: one for a one-year term, one for a two-year term, and one for a three-year term. The person chosen for the one-year term will be Chairman the first year. Resignations shall be filled by Presidential appointment until the next Annual General Meeting when the position will be filled by election.

Section 4. Investment Strategy
The Investment Trustee shall invest in high quality equity and high quality fixed income investments. In no case shall more than fifteen percent (15%) be invested in “alternative investments”. The variance between equity and fixed income is to be determined by the expertise of the Investment Trustee and to be no more than twenty (20%) of

the total fund, to be readjusted quarterly if necessary. Changes to this investment strategy may be made by the TAC upon consultation with, and recommendation of, the Investment Trustee.

Section 5. Initial Funds
Until the funds have reached an amount of $30,000 or until an Investment Trustee can be found to invest the funds, they shall be invested in certificates of deposit at the best rate possible to be determined by the Trust Advisory Committee (TAC) and no distribution shall be made.

Section 6. Distribution
At the end of each quarter (March 31, June 30, September 30, and December 31) the Investment Trustee will distribute up to one percent (1%) (depended upon the needs of the Society as determined by the Treasurer) of the average Market Value after fees of its fund (to be determined by averaging the ending monthly Market Value of the ASDTF) to the ASD general checking account. In total the Investment Trustee will annually distribute up to four percent (4%) of the average monthly market value of the fund. If the Investment Trustee achieves a net annual return greater than 6 percent after all expenses and fees, two thirds of the difference between the 4 percent and their actual annual return may be distributed (dependent on the needs of the Society as determined by the Treasurer) the next year to the ASD general checking account at the same quarterly distributions.

Section 7. Reporting
The Investment Trustee will report fund performance quarterly to the ASD Treasurer, the Chairman of the ASDTF Committee, and the ASD Operations Manager.

Section 8. Amendments
Once adopted this amendment may only be changed by a seventy-five percent (75%) affirmative vote of the ***entire current membership*** of the ASD at that time.

Section 9. Dissolution
In the event of dissolution of the American Society of Dowsers, this trust fund will be distributed to known legally recognized dowsing organizations, preferably current chartered ASD Chapters to be determined by the sitting ASD Trustees.
This chapter added 7/30/2007. Ratified by membership 6/16/2009.

CHAPTER XII
GENERAL MEMBERSHIP MEETINGS AND CONFERENCES

Section 1. A general meeting and a convention of the Members of this Society shall be held annually, the time and place to be determined by the Board of Trustees. The annual membership meeting of the ASD may be held anywhere in the United States, as approved by the BOT. The Secretary shall give each Member at least thirty-five (35) days' notice in writing of General Meetings, the business to be transacted, and a program of the Meeting. Such notice shall be mailed to the last known address of the Member. The date of posting shall be accepted as the date of Notification. Amended: 7/30/2007 – Ratified by membership 6/16/2009.

Section 2. Special General Meetings of this Society shall be held whenever the Members authorize them or whenever the Trustees shall determine said meeting. Notice of these Meetings shall be given all Members as is given for the annual General Meeting.

Section 3. Any Notice required to be given by these By-Laws may be waived by the person entitled thereto and a failure to protest any lack of notice within ninety (90) days after Notice should have been given shall constitute waiver of required Notice and shall preclude all denials of legality of any nature based on deficiency of Notice.

Section 4. Each Member in good standing of this Society, attending a general meeting, shall be entitled to cast one vote on each matter, unless otherwise provided in these By-Laws under Chapter IX, Elections.

Section 5. A quorum at a General Meeting will be met when a simple majority of the entire membership is present. In the instance that there is no quorum at a General Meeting, new issues may be approved by a majority vote of those present, contingent upon ratification by the full membership. A ratification ballot will be mailed to the full membership no later than 60 days following the General Meeting returnable 45 days from the postmark. Ratified by membership 4/1/2017

Section 6. Members are not permitted to vote by proxy.

Section 7 Conferences are open forums for education, research and publicity purposes only. A request to hold a conference must be made in writing and signed by a member in good standing who will sponsor and be responsible for the event. The Trustees must approve or disapprove all requests.

Chapter number incremented up by one 7/30/2007 to allow for new Chapter XI.

CHAPTER XIII
SEAL

Section 1. A Corporate Seal shall be provided by the Trustees of a form and design to be determined by the Trustees.

Section 2. The President shall have custody of the Official Seal of this Corporate Society and shall affix said Seal to any instrument requiring the same.

Section 3. The Secretary shall, by signature, attest the Official Seal of this Corporate Society to any instrument whereon such Seal is properly affixed.

Chapter number incremented up by one 7/30/2007 to allow for new Chapter XI.

CHAPTER XIV
AMENDMENTS

Section 1. These By-Laws may be altered, amended or repealed by two-thirds (2/3) of the votes cast by those members in good standing of this Society, as provided by Chapter IX, Section 5.

Section 2. The Trustees, by two-thirds (2/3) vote of all Trustees in office and available, may alter, amend, or repeal these By-laws at any Meeting of Trustees, provided thirty-five (35) days' Notice in writing shall have been given to each of the Trustees of the proposed alteration, amendment, or repeal and provided the changes proposed do not infringe upon the rights of the General Membership of this Society or do not alter the fundamental concepts and purposes of this Society. The required Notice may be served personally upon a Trustee or by mailing it to the last known address of the Trustee. The date of the posting shall be accepted as the date of Notification. Said changes to these By-Laws must be ratified by a majority vote of the membership as provided for in Chapter IX Section 5, however, said changes that do not change the voting process, will be in full force until such ratification by the membership and immediately rescinded upon lack of ratification.

Amended: December 16, 2006; Ratified by Membership 4/1/2007. Chapter number incremented up by one 7/30/2007 to allow for new Chapter XI.

CHAPTER XV
CODE OF ETHICS

Section 1. Code of Ethics for Members.

(a) Members shall be guided in all their relationship with the public by the highest standards of personal integrity.

(b) Members shall uphold before the public at all times the dignity and reputation of the Society.

(c) Members shall avoid and discourage sensationalism, exaggeration, undignified and unwarranted statements, or misleading advertisements.

(d) Members shall refuse to undertake work which may be of questionable value or results without first advising as to the probability of success.

(e) Members shall not willfully use or attempt to use their Membership in this Organization as evidence of their qualifications as a dowser or as a measure of ability or proficiency.

(f) Members in good standing may mention their membership in their resumes and biographies. With written approval of ASD's Executive Committee, members may exhibit or use the name or logo of this society on any letterhead or stationary, on any personal or business cards, and in any advertising of a personal, business or professional nature.

(g) All members shall avoid any appearance, real or suspected, of conflicts of interest with potential clients, other members, convention and conference speakers, vendors, practitioners, suppliers, or anybody else where the reputation of ASD and its subdivisions could be affected. Ratified by Membership 4/2015

Section 2. Disciplinary Process.

Moved to Policy & Procedures June 2018

CHAPTER XVI
STATEMENT OF ADOPTION

By-Laws were first adopted by the Incorporators of the American Society of Dowsers, Inc., in Meeting assembled, in the Town of Brandon, County of Rutland, and State of Vermont on the Twenty-third day of July, in the year One Thousand Nine Hundred Sixty-one, A. D.

Chapter number incremented up by one 7/30/2007 to allow for new Chapter XI.

REVISIONS, AMENDMENTS, PRINTINGS

Ninth Printing - September 19, 1986
Tenth Printing - September 14, 1989
Eleventh Revision - September 13, 1990
Twelfth Revision - January 19, 1991
Thirteenth Revision - July 3, 1991
Fourteenth Revision - September 17, 1992
Fifteenth Revision - August 2, 1994 (all changes from 1992 - 1994)
Sixteenth Revision - July 27, 1995
Seventeenth Revision - April 28, 1997 (all current changes included)
Eighteenth Revision - April 3, 1998 (with corrections May 4, 1998)
Nineteenth Printing/Amendment - July 30, 1999
Twentieth Revision - August 2, 1999
Twenty-first Revision - June 12, 2000
Twenty-second Revision - September 25, 2000
Twenty-third Revision- April 25, 2001
Twenty-forth Revision – October 15, 2003 –Chapter I thru Chapter VIII
Twenty-fifth Revision – November 23, 2003 – Chapter IX thru Chapter XV
Twenty-sixth Revision – May 5, 2004 – Officers elect meeting (in Ch. VIII)
Twenty-seventh Revision – September 26, 2004 (clarification of terms)

Twenty-eighth Revision - November 19, 2005
Twenty-ninth Revision – December 16, 2006
Thirtieth Revision – April 1, 2007
Thirty-first Revision – July 30, 2007 Added new Chapter XI ASDTF, amended Chapter XV Code of Ethics, Ratified by membership 6/16/2009
Thirty-second Revision – April 14, 2010 Changes in Chapters III, VIII, and XV. Ratified by Membership Ballot 2013.
Thirty-third Revision – Ratified by Membership Ballot 4/2015
Thirty-fourth Revision – Ratified by Membership Ballot 4/2017
Thirty-fifth Revision – Disciplinary Action moved to PPM 6/2018

June 11, 2018

Dear Mr. Powers,

Thank you for your inquiry. We will respond to your three questions and then update you on a few items we have brought up in the past as well as some recent ASD actions.

1. ***On the 59th page of the 2017 complaint against ASD by Attorney Janis Fallon, there is an allegation of conflicts of interest in the ASD. The example given relates to one ASD official contracting with his sister for graphic design and printing. Are there any other examples of such conflicts you are aware of?***

   To clarify, Janis Fallon, Esq. was not accusing ASD life member and Water for Humanity Committee volunteer Steve Herbert of a conflict of interest. She asserted that the ASD Board was guilty of inappropriately accusing him of a conflict as part of their allegations to take away Mr. Herbert's life membership.

   It was inappropriate to charge Mr. Herbert with a conflict of interest because he did not have the authority to hire vendors or pay invoices. The Water for Humanity Committee (which included two Board members on the Committee) recommended the use of the vendor and subsequently requested payments of the invoice by the ASD Treasurer or the Office Manager. This ASD-approved vendor was regularly contracted with by the ASD Board of Trustees for printing requirements prior to and after the ASD charged Mr. Herbert with using this ASD vendor. After accusing Mr. Herbert of a conflict in April, The Board again purchased from his sister, Gail Kimball, in November. (See attachment #1). Below are listed the dates when the ASD also used this vendor:

   - 5/13 Nathan, ASD Office Manager, ordered front covers convention booklet.
   - 9/13 Jax, Bookstore Manager, ordered 500 brochures.
   - 9/14 Jax reordered brochures (WFD & ASD) and bookmarks.
   - 10/15 Dan Prater, WFHF Committee Chair, ordered a show banner.
   - 11/16 Lisa Lacoss, Office Manager, ordered brochures.

   In accordance with the ASD bylaws, John Serino, President of the Danville Chapter of ASD and his chapter members agreed to hear the charges against Mr. Herbert . They **concluded that Mr. Herbert should be reinstated as a life member and found no basis in any of the charges against Mr. Herbert**. ASD has not acted on this or reinstated Mr. Herbert's life membership.

   The following are examples of conflicts or potential conflicts that we are aware of:

   - Board member Lee Ann Potter is using the ASD email list to promote her businesses, Jefferson Spiritual Center and Center for Collaborative Energies. Since June 15, 2017 and as recently as today again, Lee Ann's business sent emails to members, including those with terminated memberships (Amy Loomis and John Serino) promoting events at her business. On the email, it indicates that it was being sent to those who signed up on her website for her emails. Ms. Loomis and Mr. Serino did not sign up for these nor have they provided their emails to Ms. Potter. The only source of these is from the ASD list which Ms. Potter has access to. Ms. Loomis has received these emails each at her three different email addresses.

   - The charged ASD Trustees picked the ethics committee members to decide on the merits of their charges by Janis Fallon, Esq. et.al. After filing the charges in 2017, we were asked for recommendations of members to serve on an ethics committee by ASD President Alden Gaudreau. At the time, he indicated he couldn't find anyone willing to serve. The names of members who were not associated with the charges or involved as one of those harmed were provided to the current President. Several members contacted President Gaudreau individually to offer to serve. President Gaudreau did not contact any of them but indicated he got a list from the charged board members of the people they wanted on the ethics committee and appointed two from that list as

well as Board member Matt Minor. We pointed out that since Mr. Gaudreau and Mr. Minor were the only uncharged board members, and would need to vote on the Ethics Committee recommendations that this was a conflict of interest. To date, none of those who filed the charges or those harmed have been contacted for any information. The ethics committee is on the agenda for the 2018 annual membership meeting and we are concerned that the Board will just clear themselves without a fair and impartial process. About six weeks ago Amy Loomis asked how she could reapply for her life membership and was told by President Gaudreau that they would inform her after the annual meeting.

- **In 2016 the ASD Board re-appointed Trustees to continue on the ASD Board who had finished their elected terms and were under investigation** for charges filed by members. This was done without membership approval or an election of the board members.

- During Mr. Serino's defense of Mr. Herbert noted above, he advised the Board that he thought Ms. Potter's position as the chair of the audit committee and subsequent Board appointment was inappropriate based on her prior history of threatening to sue Board members if they did not put her on the Board and emails accusing a former Board Member of sending demons from past lives to attack her. Subsequently, the charged Board members terminated Mr. Serino's membership on religious discrimination grounds.
- Another example of an ASD Board Member's conflict and personal financial benefit by a charged Board member is when Lee Ann Potter rented space from Kevin O'Brien a charged former Board member and then Treasurer of ASD for her business/chapter and then was subsequently appointed to the 2016 "financial" audit which was used to throw out Water for Humanity Committee members and anyone associated with them or who defended them. In addition, she was later appointed to the Board by Board members including the Board member who benefited from her rental arrangement.
- Richard Benesha, Board member from Israel, elected in 2012, said he spoke with Mr. Herbert twice and was satisfied with his work on behalf of the WFHF. He reviewed all bylaws and recommended changes for ASD ethics including dues for the chapters, confidentiality, sexual harassment and Vermont employment. He said Marty Lucas told him he put them in the trash. Mr. Benesha resigned as it was clear the board intended to continue to violate laws and its own bylaws.

2. ***There is a claim that half or more of the board members have a financial interest in ASD. Can you expand on that?***

- **There is a long history of board members and staff hiring relatives to work at headquarters in Vermont.** Currently, the Office Manager, Lisa Lacoss is employing her daughter to run the bookstore with Board approval. Most notably, Sandra Ruelke, former Board Trustee (and charged in the 2017 ethics charges) hired her stepson to run the bookstore. This is significant for two reasons, both for financial gain and as a conflict of interest, but also to avoid fair hiring practices and posting a position. Sandra Rulke wrote a long email on her ASD Board email railing against Muslims. Members have heard Board members express many anti-Muslim and other xenophobic remarks.
- **Board members participate on the annual ASD convention committees and ensure that board members are offered slots for talks and workshops and vendor tables.** We believe speakers are paid and are able to promote their products. By-laws and laws prohibit board members from financial gain due to their position Janis Fallon as a lifetime current member in 2017 (10/30/17) requested financial information that would help identify the conflict and financial benefit by charged Board members: but, to date, the ASD has failed to provide any financial information. An example from this year's convention is given below. Charged board member Lee Ann Potter was a member of the convention committee. The Board approves the speakers and; in recent years, has turned down speakers who previously had very good ratings, there could be a conflict of interest and direct financial benefit.

- **The 2018 convention offers workshops that provide payment to the presenters**. Board members represent 35.7% of the paid speakers at these workshops (5/14). 4 of the 5 Board members are involved in these paid presentations. Those presenting workshops are Alden Gaudreau, Sandi Isgro, Marty Lucas and Lee Ann Potter. It is not clear which board members will have vendor tables and are also speaking.

3. ***If the option were presented, are you and the others who lost membership in the ASD interested in reinstatement?***

    - **Life members need to be reinstated immediately** or offered a buyout of their life membership fee that they paid.

    - **Members with annual memberships need to be reinstated** and provided membership equivalent to the time since they were improperly terminated as members or offered a payment for that length of time.

    - For all those charged, the **charges must be formally dropped** and advised that they may renew their membership without discrimination or punitive actions against them.

    - The Board needs to drop the charges of those members they charged but did not terminate memberships. In 2017 the ASD membership list was requested to determine membership status in 2017 but the ASD Board has refused to release the list. As an example, Susanne Dillon requested her membership status and has not received a response. President Gaudreau said he did not have the authority to drop charges.

We would also like to update you on a few items we previously brought up as well as some recent ASD actions.

- **The ASD Board still has not responded to Janis Fallon's 10/30/2017 request for financial information.** Budget and financial information is still not posted on the website; and at Board meetings, the Board votes to approve the budget report without discussing or releasing it. On past recorded calls, Board members indicated this information is available if anyone asks for it; but the Board continues to refuse to release any financial information.

- The Board used to meet monthly but **no Board member minutes** have been posted in the last 8 months except for November 2017 and January 2018. We are unclear if the Board has stopped meeting or is just not taking minutes or is not posting them for members. In the January meeting, the Board switched from a recorded meeting to a very brief written format that provides little or no information on topics.

- In the January Board minutes and in the agenda for the 2018 annual membership meeting in June (see attachment #2), the Board is indicating that it **may dissolve the Water for Humanity Fund, restructure it, or give the funds to another large water organization.** This is of deep concern as we are not aware of any organizations with both dowsing and water missions. Thus, we are concerned about the money not being used in accordance with donor's intent and is being improperly given away. Requests by donors such as Janis Fallon (5/12/16 and several times in 2017) were responded to that the money was spent and even if it wasn't the ASD could use it for hurricane relief or as they deemed appropriate.

- **The bylaws require an annual financial audit.** As noted, the 2016 audit did not look at ASD finances but was used as a ruse to terminate members of the Water for Humanity committee and others who were assisting the committee or defending members removed. At the 2016 annual membership meeting, the membership requested and authorized an external audit by a qualified CPA firm. President Alden (Tick) Gaudreau indicated that the CPA audit was received by the Board in March 2017. **To date, it has not been released to the membership** and, to our knowledge, no other financial audits have been completed. A copy of the financial audit was requested in 2017, but the Board has not released this information.

We bring these issues up as the ASD Board continues to violate its by-laws and state laws. It appears to be becoming more blatant and open about violating it. As concerned members (past and current) we have been unable to have our concerns, charges, or requests heard and have been unable to get the Board to follow their own and Vermont requirements.

We truly appreciate your efforts in looking into these matters.

Amelia "Amy" Loomis
Janis Fallon, Esq.
Dreama Brower

ATTACHMENTS:

Attachment 1 - Email from Advanced Graphic Communications
Attachment 2 – Annual meeting agenda

Attachment 1 – ASD 2018 Annual Meeting Agenda

THE AMERICAN SOCIETY OF DOWSERS, INC. • 1961 •

Indago Felix

Annual Membership Meeting

You are hereby notified of the annual membership meeting to be held Thursday, June 14 at 8:00pm. The meeting will be held in Room 100 located in the Lecture Center at the State University of New Paltz, New Paltz, NY.

AGENDA for Thursday, June 14, 2018

Call to Order
Introductions
Minutes from 2017*
Financial Report(s)*
Summary of the Year*
Committee Reports*
Old Business:
- Volunteers
- Ethics Complaint
- WFHF

New Business:
- Plan for 2018-19
- Convention Venue for 2019
- Restructuring ASD's Charitable Waters Program
- Open floor to additional questions from the Members

Closure

*Available in your printed program distributed prior to the meeting OR call Headquarters after convention for a mailed hard copy OR check the ASD website under the Members Only Section after convention.

Attachment 2 – Advanced Graphic Communication Email

From: Gail Kimball <gail@advancedgraphic.net>
Sent: Thursday, March 2, 2017 4:05 PM
To: Steven Herbert
Subject: ASD order history

hi, this is going back to 2013 - orders not from you but other people at ASD:

9/13 Jax ordered 500 brochures, did she get other quotes?
9/14 Jax reordered brochures (WFD & ASD) and bookmarks
Nathan ordered front covers convention booklet 5/13
Dan Prater ordered a show banner 10/15
Lisa Lacross ordered brochures 11/16

2013 WINNER NH Business Review's Business Excellence Award, Media & Marketing

pastedGraphic.tiff
Gail Kimball PPPC
Advanced Graphic Communication
Tannery Marketplace
111 Saranac St., Suite 125
Littleton, NH 03561
T/F 603-444-5439
advancedgraphic.net
whatreallyhappenedtotheoldman.com

Cornell-Brown, Rowan

From: Janis Fallon [redacted]
Sent: Tuesday, December 19, 2017 11:02 AM
To: Powers, Michael
Subject: Fwd: ASD Ethics charges

I wanted to share with you a recent contact from the ASD Board Treasurer/Secretary and Executive Committee member and my response. It appears that they do plan to have an Ethics Committee review the charges a group of us filed in June 2017. I note some concerns in my response as it appears one of the two board members not charged and who would vote on the Ethics Committee recommendations made himself chair of the Ethics Committee. This would seem to be a conflict of interest and not be an impartial Ethics Committee. I am concerned that they are going through the motions to just clear the Board and not provide an impartial review of board wrongdoing.

I am also very concerned that the ASD Board will then go after those of us members who filed the complaint and charge us and terminate our memberships in retaliation for whistleblowing.

Thank you for your efforts and looking into all this.

Janis Fallon

---------- Forwarded message ----------
From: **Janis Fallon** [redacted]
Date: Tue, Dec 19, 2017 at 10:53 AM
Subject: Fwd: ASD Ethics charges
To: asdrecorder@dowsers.org
Cc: "Alden (Tick) Gaudreau" <president@dowsers.org>, Alden Gaudreau <bgaudre1@nycap.rr.com>, Janis Fallon [redacted]

Dear Mr. Minor, ASD Recording Secretary, ASD Treasurer & ASD Board Executive Committee Member:

Thank you so much for contacting me - I appreciate your efforts to address the charges filed against eight current and former Board members in June of this year. I am responding below to your questions.

I am copying Tick on this response as we have talked and communicated throughout this process and I see that you included him on this email. I did not copy Lisa Lacoss as I was unsure of the confidentiality of the Ethics Committee process or why an ASD employee is involved.

I also want to make clear (as I have repeatedly told Tick) that I am not acting as a legal representative or ombudsman, only as a longtime ASD life member. I was approached by a number of individuals harmed by the charged board members prior to the 2017 convention and I was asked to help since I am a current member.

I contacted Tick to let him know that I was not representing the group going forward as there are others who may be considering other actions. I am still part of the complainants in regards to the filed charges.

That said, let me address your questions:

Question 1. Is there now a spokesperson, or legal representative willing to assume your previous role?

Answer: As noted above I am still one of a number of complainants who filed the charges. I am not the legal representative or ombudsman. I am happy to be the contact point for the complainants or you may contact all of the complainants.

Question 2. Do you have first-hand knowledge of the complaints as tendered by the group?

Answer: As stated in the cover letter to the charges, I have personal knowledge of the charges.

Question 3. If there is no spokesperson, or legal representative, who are the specific individuals we should report our findings to?

Answer: The ASD by-laws require that the decision be reported to all involved parties.

Question 4. Does the group still have an interest in proceeding with the charges?

Answer: Charges have been filed against certain current or past Trustees and the ASD by-laws require that these be heard by an impartial Ethics Committee.

Question 5. Lastly, the Ethics Charge Committee is interested in reviewing each individual charge. Will the group be willing to provide sworn statements to support their claims?

Answer: As part of their conversations with those harmed and those charged, the Committee could request sworn statements from all parties providing information.

The complainants also had a few procedural questions for you based on your email to help assure us that a fair impartial process will be followed by the Ethics Committee:

Who is on the Ethics Committee?

Are the Ethics Committee members impartial (e.g. were any members from the list given to Tick by the charged individuals that they wanted on the Committee selected)

What process will the Ethics Committee follow?

Will they interview the previous members that were charged and/or terminated?

Will the Ethics Committee conduct an open hearing; open at least to the Complainants?

Will the Committee disclose what documents, exhibits, evidence or statements they will review and consider?

If the Complainants wish to add additional evidence or charges (as a right reserved in the complaint), or others wish to file charges, how will this be handled by the Ethics Committee?

If the Ethics Committee require statements under oath from the charged current and past trustees and individuals providing information, will all statements be in the same format so that there is parity as to both sides and will they be available for review?

If the Ethics Committee would like additional evidence, will the Complainants or involved parties be provided sufficient time to compile and provide the requested information?

That leads to a serious concern with you as the chair of the Ethics Committee as that would seem to violate the by-laws, be a conflict of interest, and could prevent an impartial hearing of the charges. The by-laws state that the Ethics Committee will make recommendations to the Board and the Board will vote on disciplinary actions and recommendations from the

Ethics Committee and make a final decision. As charged Board members cannot vote, it is only you and Tick that will be the Board members hearing and voting on the Ethics Committee recommendations and making a final decision within 30 days of receipt of the recomendations. Therefore, I cannot see how you can be on the Ethics Committee and also on the Board voting on the impartial Committee's recommendations. The Ethics Committee should be impartial members and be able to work without interference from the Board. They should then make their determinations and recommendations to the uncharged Board members as required by ASD's by-laws. Not only would your participation on both sides be a violation, it would send a clear message that the Ethics Committee process was flawed and set up to make a predetermined recomendation.

I trust that you are asking these questions with good intent and are not looking to attack me and the other complainants due to our whistleblowing as this would certainly violate many federal and state laws.

Janis Fallon

ASD Life Member

From: **Matthew Minor** <asdrecorder@dowsers.org>
Date: Thu, Dec 14, 2017 at 6:45 PM
Subject: ASD Ethics charges
To: [redacted]
Cc: President@dowsers.org, lisa@dowsers.org

Dear Janice,

My name is Matt Minor, and am chairing the ASD Ethics Charge Committee due to begin its deliberations in early January, 2018. Tick Gaudreau did inform me you were no longer acting as the legal representative nor ombudsman for the group who tendered the charges. This raises some procedural questions.

1) Is there now a spokesperson, or legal representative willing to assume your previous role?

2) Do you have first-hand knowledge of the complaints as tendered by the group?

3) If there is no spokesperson, or legal representative, who are the specific individuals we should report our findings to?

4) Does the group still have an interest in proceeding with the charges?

5) Lastly, the Ethics Charge Committee is interested in reviewing each individual charge. Will the group be willing to provide sworn statements to support their claims?

Best wishes,

Matt Minor
ASD Recording Secretary/Treasurer
ASD Chairman Ethics Committee

Cornell-Brown, Rowan

From: Janis Fallon [redacted]
Sent: Monday, November 5, 2018 1:41 PM
To: Powers, Michael
Cc: Idaho Dowsers
Subject: Fwd: Document request #2 110518.docx
Attachments: Document request #2 110518.docx

This is another document request to the ASD uncharged trustees as they have refused to date to provide documents requested in 2017 that are required to be provided to members upon request.

Once again we appreciate you looking into the ASD as they are getting much more open about violating laws and bylaws and retaliating against anyone bringing up issues or whistleblowing. All we want are them to reinstate the members whose life and other memberships were wrongfully terminated and have an independent Ethics Committee review the charges and make recommendations to the uncharged Board Trustees, and just follow the laws and ASD bylaws. Thank you so much for all of your efforts.

Sincerely,

Janis Fallon
ASD Life Member

---------- Forwarded message ---------
From: **Janis Fallon** [redacted]
Date: Mon, Nov 5, 2018 at 1:37 PM
Subject: Fwd: Document request #2 110518.docx
To: <tick@dowsers.org>, <leedra@dowsers.org>, <r.louise@dowsers.org>, <mark@dowsers.org>, <d.arseneau@dowsers.org>

Attached please find a document request as I have never received documents requested in August 2017 (with multiple requests through October 2017). These are documents that are required to be provided to members upon request. Your prompt response is appreciated. A copy of this has been sent to the Vermont Attorney General.

Sincerely,

Janis Fallon
ASD Life Member

[redacted]

November 5, 2018

American Society of Dowsers
184 Brainerd St.
PO Box 24
Danville, VT 05828

RE: Documentation Request
Sent via U.S. Mail, Certified, Return Receipt #70180680000061185998 and via email to tick@dowsers.org, Leedra@dowsers.org, r.louise@dowsers.org, mark@dowsers.org, d.arseneau@dowsers.org

Dear ASD Trustees Tick Gaudreau, Leedra Yablonsky, Roxanne Louise, Mark Hurwich, Dan Arseneau:

On October 30, 2017 I requested documentation that is required to be provided to members upon request (attached). Per 11B V.S.A. §§16.02, 16.03, and 16.20 a member upon written notice is entitled to have copies of records required to maintained under §16.01, accounting records, the membership list and other documentation required to be provided to members upon request. The IRS also requires that a nonprofit provide records to members upon request.

To date the ASD has refused to provide this information. Vermont Law (see 11B V.S.A. §16.04) provides that if the nonprofit corporation refuses to provide the records to a member, that an action may be brought in the Superior Court and that the corporation will be required to pay all member's costs, including legal fees in to obtain a court order requiring the organization to provide the records. IRS law also provides for civil penalties for failure to provide documentation that is required to be provided to members upon request.

This document request is made in good faith to obtain documents that are not being provided to the membership by ASD as required. As the board has a fiduciary duty to the membership, members have a right to know the financial status of the organization, actions being taken by the board affecting membership rights and the organization, and to ensure that donations made to ASD are used for the donor's intent and the stated, advertised purpose of the charity. Many life time and other members have been terminated without due process and many never were even informed of the outcome of the charges and do not know if they are still members. The information requested is only that which is required to be provided to members.

This request has been sent to the uncharged board members as some of the information requested relates to the charges pending against current and former board members which was filed with the ASD June 14, 2017.

I am updating the document request and am requesting the following information which is required to be maintained by the ASD and to be provided to a member upon request:

1. 2018 annual meeting minutes and recording.

2. 2017 & 2018 annual meeting notices sent to members including a description of matters which must be approved by the members, notices of any matters a member intended to raise at the meeting.
3. 2017 & 2018 list of number of members present at the annual meeting, actions voted on, and number of votes for and against
4. 2016 – 2018 Ratification ballots sent out to the entire membership within 60 days of an annual meeting
5. Board minutes and recordings for February 2018 and any since June 15, 2018.
6. Current number of members and category in the ASD (e.g. life members, annual members, family members)
7. 2016-current: Water for Humanity:
    a. Annual reports including financial and summary of projects completed
    b. List of donations and other income (excluding confidential donor information)
    c. List of monies given out by year including amounts, name of grantee, payment dates, and which payments were for restricted purposed identified by the donors
    d. Grant proposals received for Water for Humanity funding
    e. List of expenses per year
    f. List of Water for Humanity committee members since the WFH fund was frozen in March 2016 including names, positions and dates started on the committee
    g. Amount of monies in the Water for Humanity Fund at the time the EFH Fund was frozen in 2016
    h. Current amount in the Water for Humanity Fund
    i. Water for Humanity committee minutes
8. 2016-current: Annual financial audit reports including the CPA audit for 2016 received by the ASD Board in March, 2017
9. 2017- current: Record of actions taken by the Board without a meeting
10. 2015-current: Ballots sent to the membership describing changes to the bylaws for voting on and numbers of member votes ratifying or opposing the bylaw change
11. 2017 – Current: ASD Trust Fund information including amount in the account by year, the committee members overseeing the Trust Fund, and amounts distributed.
12. 2017-current: Annual and monthly financial reports presented to the ASD board during or prior to board meetings, annual financial reports distributed to members and current to date financial statements including balance sheets, statements of operations and any associated public accountant reports which show all income and expenses.
13. 2016 & 2017 990's filed with the IRS for those tax years.
14. 2017 – Current: Committee reports for all committees created by the ASD board.
15. List of all ASD chapters and ASD annual financial reports for 2016-2017 years
16. Last two biannual reports to the Vermont Secretary of State

I also requested a copy of the membership list 8/16/17, 9/25/17, 10/1/17, 10/2/17, 10/20/17 per 11B V.S.A. §16.03 and am restating that request. The purpose is related to my interest as a member and will not be used for any commercial purpose or sold to anyone.

I am requesting that ASD provide this information to me no later than **November 26th, 2018**. Information may be sent electronically to my email janisefallon@gmail.com or provided in hard copy and mailed to me. If the requested information cannot be emailed or sent via hardcopy or electronic, then we may have designated agent(s) or attorneys copy the materials per 11B V.S.A. §16.03.

Sincerely,

Janis Fallon
ASD Life Member

Cc: Vermont Attorney General

Cornell-Brown, Rowan

From: Idaho Dowsers <idahodowsers@gmail.com>
Sent: Wednesday, August 1, 2018 4:35 AM
To: Powers, Michael
Cc: Janis E. Fallon, Esq.
Subject: Fwd: IRS Complaint - American Society of Dowsers Email 1 of 3
Attachments: IRS Form 13909 ASD Complaint.pdf; IRS complaint 073118.pdf; IRS Complaint Supporting Documentation (1).zip

Importance: High

Dear Mr. Powers,

Attached is Janis and my complaint to the IRS with zip file #1. I will send you two more emails with zip files #2 & #3.

After your inquiry about financial matters we decided to explore the issue in more detail and discovered that there were many financial requirements and irregularities that we had overlooked.

We hope that this is not too late for your review and that you will communicate with the IRS as per your protocols. It may be appropriate to communicate with the U.S. Patent Office also regarding the Water for Humanity Fund Trademark.

We are alarmed that the American Society of Dowsers Board of Trustees is planning to dissolve the Fund.

Thank you for your attention to this matter.

Amelia Loomis
208-315-1075

Begin forwarded message:

From: "Fallon, Janis" [redacted]
Subject: IRS Complaint - American Society of Dowsers Email 1 of 3
Date: July 31, 2018 at 2:54:18 PM MDT
To: "eoclass@irs.gov" <eoclass@irs.gov>
Cc: Idaho Dowsers <idahodowsers@gmail.com>

Dear Sir or Madam:

Attached please find our complaint against the American Society of Dowsers. We have attached Form 13909, a detailed compliant and supporting documentation. Due to the size of the supporting documentation, the information is being sent in 2 emails.

Thank you for your time and consideration of this matter.

Janis Fallon
Amelia Loomis

Form **13909**
(December 2016)

Department of the Treasury - Internal Revenue Service

Tax-Exempt Organization Complaint (Referral)

1. Name of referred organization
American Society of Dowsers ("ASD")

Street address
184 Brainerd Street

City	State	ZIP code	Date of referral
Danville	VT	05828	7/26/18

2. Organization's Employer Identification Number (EIN)
03-6010613

3. Nature of violation

- [x] Directors/Officers/Persons are using income/assets for personal gain
- [ ] Organization is engaged in commercial, for-profit business activities
- [ ] Income/Assets are being used to support illegal or terrorist activities
- [ ] Organization is involved in a political campaign
- [ ] Organization is engaged in excessive lobbying activities
- [x] Organization refused to disclose or provide a copy of Form 990
- [x] Organization failed to report employment, income or excise tax liability properly
- [ ] Organization failed to file required federal tax returns and forms
- [x] Organization engaged in deceptive or improper fundraising practices
- [x] Other *(describe)*

Please see attached complaint document.

4. Details of violation

Name(s) of person(s) involved
Current and former ASD Board of Trustees: Lee Ann Potter,Martin Lucas, Sadra Isgro, Keith Schaffer, Annette Weis, Sandr Ruelke

Organizational title(s)
President, Vice President, Treasurer, Secretary, Trustees

Date(s)	Dollar amount(s) *(if known)*
Since at least 2012	

Description of activities
Please see attached compliant document regarding non reporting of income, false information on 990s, failure to provide information, improper handling of chairty donations, governance issues and other illegal acts.

5. Submitter information

Name
Janis Fallon and Amelia Loomis* (address listed below this section)

Occupation or business
Current and terminated ASD lifetime members

Street address
336 Bulson Road

City	State	ZIP code	Telephone number
Troy	NY	12180	518-935-7889

- [x] I am concerned that I might face retaliation or retribution if my identity is disclosed

6. **Submission and documentation:** The completed form, along with any supporting documentation, may be mailed to IRS EO Classification, Mail Code 4910DAL, 1100 Commerce Street Dallas, TX 75242-1198, faxed to 214-413-5415 or emailed to eoclass@irs.gov. **Disclaimer Notice:** Your email submission of Form 13909 and attachments are not encrypted for security.

* 2976 E State, Ste 120-225, Eagle, ID 83616 (208) 315-1075

Instructions for Form 13909, Tax-Exempt Organization Complaint (Referral)

General Information

The information provided on this form will help the Internal Revenue Service (IRS) determine if there has been a violation of federal tax law. Submission of this form is voluntary.

Upon receipt of this form, the IRS will send you a letter acknowledging receipt of the information you submitted. If at a later date you wish to submit additional information regarding the organization, please attach a copy of the form initially submitted, and send it to the address shown above.

Specific Instructions

1. **Organization name and address:** Provide the current name and address of the organization. If the organization has used prior or multiple name(s) or address(es), also provide that information.

2. **Employer identification number:** Provide the organization's EIN.
   The EIN is a nine-digit number, issued by the IRS, that the organization uses for tax purposes (like a Social Security Number (SSN) for an individual). If the EIN is unavailable, include a state nonprofit corporation registration number, if available.

3. **Nature of violation**: Mark the description that describes the organization's alleged violation. More than one line may apply. If none of the descriptions appear to apply, briefly state the issue on the Other line.

4. **Details of the violation:** Provide specific details of the alleged violation including names, actions, places, amounts, dates, and the nature of any evidence or documentation (who, what, where, when, how). Include the names of other organizations, entities or persons that may be involved with the organization, providing EINs or SSNs, if available.

5. **Submitter information:** Provide your name, address, and business or occupation. Include your daytime telephone number, in case we wish to contact you. The acknowledgement letter will be sent to the address you provide.

   If you are concerned that you may face retribution if your identity is disclosed, check the box. You may enter "Anonymous" for Submitter's name if you do not want to be identified.

6. **Submission and documentation:** Mail the completed form, including any supporting documentation that you would like for us to review, to the address provided on the form. You may also fax or email the completed form and any supporting documentation to the fax number or email address provided on the form. Include a cover letter describing the documentation or evidence you are providing. If you have already received an acknowledgment letter, include a copy of that letter. If possible, please try to submit all documentation at the same time.

   If your referral relates to a church please be aware that Congress has imposed special limitations, found in IRC section 7611, on how and when the IRS may conduct civil tax inquiries and examinations of churches. You can find out more about these special limitations in Publication 1828, *Tax Guide for Churches and Religious Organizations*, in the section on Special Rules Limiting IRS Authority to Audit a Church.

7. **Claim for reward:** To claim a reward for providing this information to the IRS, file Form 211, *Application for Award for Original Information*.

8. **Note:** Federal law prohibits the IRS from providing you with status updates or information about specific actions taken in response to the information you submit.

Cornell-Brown, Rowan

From: Idaho Dowsers <idahodowsers@gmail.com>
Sent: Wednesday, August 1, 2018 4:37 AM
To: Powers, Michael
Cc: Janis E. Fallon, Esq.
Subject: Fwd: IRS Complaint - American Society of Dowsers Email 2 of 3
Attachments: IRS Complaint Supporting Documentation (2).zip

Importance: High

Dear Mr. Powers,

This is the 2nd zip file. We will also send you our filing of the Whistleblower protection document.

Amelia

Begin forwarded message:

From: "Fallon, Janis" [redacted]
Subject: FW: IRS Complaint - American Society of Dowsers Email 2 of 3
Date: July 31, 2018 at 2:58:14 PM MDT
To: Idaho Dowsers <idahodowsers@gmail.com>

Dear Sir or Madam:

Attached please find our complaint against the American Society of Dowsers. We have attached email #2 supporting documentation. Due to the size of the supporting documentation, the information is being sent in 3emails.

Thank you for your time and consideration of this matter.

Janis Fallon
Amelia Loomis

Table of Contents

We, Janis Fallon and Amelia Loomis are filing this complaint with the IRS as we believe that the American Society of Dowsers Board of Trustees is currently and has for a long period of time been committing tax fraud and violating IRS laws and regulations as described below. This includes the recent mismanagement and dissolution activities for the Water for Humanity Fund ("WFHF") and its distribution of assets. We are not financial experts and report the issues below in good faith as we believe these financial improprieties need to be investigated.

We hope that the IRS will freeze the ASD's Water for Humanity Fund until your investigation determines that ASD trustees are properly managing and closing or distributing the WFHF assets in compliance with federal regulations and the published intention of the fund. We believe that the ASD intends to act quickly to give away the funds to outside organizations that do not have the same mission and for which donors gave their money. We would like other organizations with similar dowsing missions be able to apply for and have the WFHF transferred to them so that it may continue to fulfill its stated mission.

We also request whistleblower protection due to past and anticipated retaliation by the ASD trustees against members identifying financial irregularities and non-compliances with state and federal laws and regulations and ASD's bylaws and procedures.

1. Introduction

The American Society of Dowsers' ("ASD") tax identification number is 03-6010613 and the headquarters is located at 184 Brainerd Street, Danville, VT, mailing address PO Box 24, Danville, VT 05828. The ASD is a membership organization and is registered as a 501(c)(3) with the IRS. Some of their chapters use the ASD EIN and others do not. A copy of information about ASD from its website, www.dowsers.org, is attached (Att.1).

WFHF is ASD's charity arm (same EIN) which promotes dowsing to fund and find wells in third world countries and the U.S. The United States Patent and Trademark Office registered ASD's Water for Humanity Fund No. 4,662,190 on December 30, 2014 *for charitable fundraising services by means of our national and regional conferences held within the United States as well as some electronic fundraising and fundraising through the mail to provide funding for water resources development, purification, protection and conservation worldwide in areas of critical need in Class 36 (in U.S. Cls 100,101,102)*. WFH information and its trademark information is attached (Att. 2 – 5). The ASD's Policy and Procedure Manual p. 37 – 40 describe the requirements for the WFHF committee structure and responsibilities and the process for receipt of grant proposals and awards of grants (Att. 6).

The trustees[1] at their April 24, 2018 board meeting approved a plan to dissolve the WFHF and that they were selling its Exon stock, and giving away all of the fund donations (Att. 7, p.3). They said they were going to give the WFHF monies to organizations that we believe are not authorized as they have a different purpose and mission, for example, non-dowsing or disaster relief organizations. ASD trustees have never requested that similar non-profits apply for these funds though we are aware of a number of groups that promote dowsing and

[1] The Board of Trustees as of June 2018 consists of President LeeAnn Potter, Vice President Sandra Isgro, Marty Lucas, Keith Schaffer, Tick Gaudreau and new trustees appointed by the Board in June 2018 - Roxanne Louise, Mark Hurwich, Dan Arseneau, and Leedra Yablonsky.

wells and have similar activities as the WFHF. ASD has not contacted donors despite several that had requested transfer of their funds to a specified organization with similar purposes as the WFH after the ASD trustees froze the WFHF in 2016 and began termination of ASD members associated with the WFHF. These donors also objected to ASD's use of their donations to WFHF when the ASD board began to give large sums of money directly to disaster relief organizations (Att. 8, 9, 29).

The ASD has an annual convention in Vermont or in more recent years in New York. They also have regional conferences periodically, e.g. the Southwest Conference, the West Coast Conference and the Appalachian Conference. See Att. 10 - 12 for annual meeting handouts from 2016-2018 that are given to members.

All financial data and monies for ASD and the WFHF are managed by the ASD's office manager and ASD board treasurer, including donations, grants, and tax reporting. To our knowledge this data is kept on the ASD headquarters computer.

Ms. Loomis acted as a volunteer advisor for grant writing and managing grants for the ASD and the ASD's WFHF. She is a retired grant maker, grant writer, clinical social worker, and foundation program officer. She brought up issues to the ASD's trustees following the ASD's application to the Annenberg Foundation when the foundation identified accounting irregularities. She worked from 2013 with two ASD board treasurers, Andy Bray and Kevin O'Brien; three office managers, Nathan Platt, Blair Wolston and Lisa Lacoss; the WFHF committee, the ASD financial committee, and the ASD's CPA firm to assure appropriate policies and procedures for financial data flow for managing grant applications, grant reporting, and 990 tax reporting would be implemented. Some trustees and staff resisted these recommendations. LeeAnn Potter refused to include Ms. Loomis' recommendations and identification of financial issues in the internal audit published in June 2016 (Att. 13). After the audit was published, Ms. Loomis' lifetime membership was terminated by the ASD board without following the ASD bylaws which require identification of the charges, a chance to be heard by her chapter to resolve the issue, or hearing by an independent ethics committee (see Att. 14 Chapter XV Sec. 2 p. 13 – 14 for ASD's required disciplinary process).

Janis Fallon, one of the individuals providing this information to the IRS, is a lifetime ASD member who became involved as a volunteer in 2016 for the 2016 financial audit headed by LeeAnn Potter, who is currently the ASD board president. When it became clear that the audit was not to look at financial information as required by the bylaws, but was being used to set up members for termination, Ms. Fallon quit the audit committee. Another audit committee member had quit earlier because she said LeeAnn Potter told her the audit was intended to get rid of WFHF members and anyone associated with the Fund. She felt it was a witch hunt and that it was biased and not something she could be a part of.

In June 2016 Ms. Fallon was approached by a group of regular and lifetime members who had their memberships terminated by the ASD board led by then President Marty Lucas for their participation in the WFHF charity fund for identifying financial and other issues. The terminations were done without identification of the charges and without any due process and not following the ASD's own bylaws. Others in the group were former trustees whose memberships were terminated after they resigned due to unethical practices of some of trustees. Some of these individuals were lifetime members who had paid thousands of dollars for the lifetime memberships. Ms. Fallon was asked as a current member to file ethics charges against the ASD trustees LeeAnn Potter, Marty Lucas, Annette Weis, Sandra Ruelke, Sandra Isgro, Kevin O'Brien and Keith Schaffer, and Diane Bull[i] for their actions as

well as for violations of state and federal laws and regulations that the terminated members were aware of. Janis Fallon and fourteen other ASD members filed charges against the ASD board June 14, 2017 in accordance with ASD bylaws (Att. 15).

These charges have not been heard by an independent Ethics Committee. When it became clear that the ASD board did not intend to address the charges or issues raised by the Ethics Charges filed June 14, 2017 or issues raised by members, their CPAs and attorneys, a group of current and terminated members also provided the charges to the Vermont Department of State ("DOS") and Vermont Attorney General in a letter dated August 16, 2017. The DOS indicated the Attorney General's Office handled DOS issues. We have been updating information to the Vermont Attorney General's office, Michael Powers (802) 828-0096, michael.powers@vermont.gov.

During a March 27, 2018 trustee and former president Marty Lucas made a motion to have all charges dropped against them, however, the president, Tick Gaudreau would not allow the motion as the bylaws require an independent ethics committee and he said he would coordinate with the ethics committee to reach a final decision on the charges (Att. 16).

President Gaudreau later abruptly resigned as ASD president prior the June 2018 annual meeting as he refused to do unethical acts that the trustees were demanding of him. The June 14, 2018 prior to the evening's annual meeting indicates that charged trustee Marty Lucas was going to discuss the process to be used for the Ethics Committee formation, though it appears that was not what they presented that evening (Att. 17).

At the June 14, 2018 annual membership meeting the charged board trustees coerced the members attending to vote to exonerate them from any of the ethics charges. They threatened to walk out immediately if charges were not dismissed against them. (Meetings are recorded, however the 2018 annual meeting has not yet been posted on ASD's website). At their board meeting on June 15, 2018, the trustees indicated that they intended to retaliate against those individuals filing the charges and were going to send letters immediately after having a former ASD attorney review their drafts (Att. 18). The details regarding the Ethics Charges process are contained in the whistleblowing retaliation section.

We hope that you will look into the serious issues that fall under the IRS's jurisdiction. We believe that the culture of non-compliance, financial irregularities, and flagrant violation of laws and regulations and tax fraud continue. Anyone bringing up issues to the ASD Board are retaliated against including having their memberships terminated. Even though ASD's CPAs, attorneys and members have raised issues that threaten the ASD's 501(c)(3) exemption, the ASD trustees continue to intentionally violate laws and regulations.

2. Failure to Report Income to the IRS

The IRS requires that an annual 990 form be submitted which includes the total amounts the organization received from all sources during its tax year. The IRS requires that the organization report income that it gets from third parties and if it can't obtain the information by the due date for filing, then it must request an extension. If it still is unable to obtain this information after making reasonable efforts it must make a reasonable estimate where and applicable and explain in Schedule O.

On its Form 990 the IRS asks whether the organization has policies and procedures governing the activities of chapters, affiliates and branches to ensure their operations are consistent with the organization's exempt purpose.

The ASD has failed to report income from its chapters and conferences which operate under ASD's tax exempt status and EIN. The ASD also does not enforce reporting of this information by chapters which they could easily do by notifying chapters that they would not be covered by ASD's EIN, exempt status or insurance unless information is reported. (Att. 19 -21 contain ASD's 2014-2017 Form 990's).

a. Chapters

The ASD has chapters around the country that use ASD's 501(c)(3) tax exempt status and some that don't. The ASD does not report any of the chapters' income on its 990 forms nor does it appear to even track the income separately according to financial information provided to members at the annual meeting. Chapters (or at least ASD members in chapters) also are covered by the ASD's Insurance. It is not clear if the Chapters who have their own EIN as an unincorporated nonprofit in their own state are covered under ASD's insurance coverage. Some chapters use the ASD logo.[ii] In the October 26, 2017 board meeting, trustee (now president) LeeAnn Potter said she researched online and no chapters have their own IRS 501(c)(3), they are all under the ASD's. She did not say that she researched their EIN.

The ASD board must approve each request for a new chapter, however, the board does not maintain a contractual relationship with the chapters to specify annual tax reporting including raffles or insurance coverage information. ASD has indicated that they are unsure how many chapters they have or how many use their tax-exempt status. On ASD's website there are 36 chapters listed and the ASD board has approved additional chapters in 2018. We are aware of at least four other active chapters, however, when ASD terminated memberships of individuals reporting issues, they also retaliated by removing the chapters that these individuals belonged to from the ASD website. We do not know if these chapters are still covered under the ASD tax exempt number or insurance as none of the chapters were notified by the ASD board of the action to remove them from the ASD website.

The office manager reported at a 2018 board meeting that 10 chapters sent in reports for 2017 and that was the most they had ever gotten. The form for the chapter report is found on the ASD website (Att. 22). The chapter report does not require, but says it is *optional* to provide information such as income expenditure, assets and liabilities, and cash on hand. Therefore it is unclear how the ASD can meet its IRS reporting requirements as they don't even require a chapter to provide financial information. ASD's bylaws also state that information required by federal law, income, expenditures, assets, liabilities and cash-on-hand must be provided in the annual report (Att. 14 p. 6). In ASD's Policy and Procedure Manual it notes that if chapters do not provide chapter fund information, as required by Federal law, ASD could lose their tax exempt status (Att. 6 p. 31), however ASD has taken virtually no action to obtain this information, though they could easily contact chapters stating they would remove their chapter status under the ASD and insurance coverage if information were not provided.

The Board has been aware of this issue for years and has done little to correct it or report the income on the 990. The ASD's CPA told Ms. Loomis that she was uncomfortable with this lack of clarity and the potential for ASD to lose its tax-exempt status. Because ASD did not have their QuickBooks configured for non-profits including the appropriate line items, there was no way for the CPA to assess the breadth of the problem. She said her firm could reconfigure the QuickBooks or they could contract with another consultant trained in non-profit QuickBooks. Ms. Loomis conveyed this information to the office

manager and the board treasurer, Kevin O'Brien. It was never clear whether the QuickBooks had been appropriately reconfigured, however based on the categories and lack of reporting on the financial statements provided to members at the annual meeting and filed 990s, we do not believe accounting changes have been made.

The lack of chapter income reporting by the ASD has been discussed at numerous board meetings. As recently as the April 24, 2018 meeting, the board discussed changing some chapters to affiliates so ASD does not have to report their financial information (Att. 7). Chapters were going to be discussed at the annual membership meeting however, the board decided they should resolve the issues themselves.

Concerns over insurance coverage for chapters was also mentioned. In new chapter packets posted on the ASD website it indicates that chapters receive event coverage though recently the trustees have said it only covers ASD members, however chapters have not been notified of any changes.

b. Conventions & Conferences

ASD has an annual national convention as well as regional conferences (typically every 1 or 2 years). Regional conferences are coordinated by volunteer member committees. The ASD sets up a bookstore and covers the convention and conferences under their insurance. A discount to the ASD membership fees are also given to new members who join during the convention and regional conferences. However, ASD does not report any of the regional income on its 990 or on the financial report given at the annual meeting.

In a recent board meeting April 24, 2018, President LeeAnn Potter said they don't have to report as the regional conventions are run by chapters which is untrue, only one was hosted by a chapter, the Appalachian Conference several years ago (Att. 7 p.2). This chapter argument seems faulty since the conferences are using the ASD's tax exempt status. ASD's bylaws require that a member in good standing sponsor the event and the ASD board must approve any conferences (Att. 14 Chapter XII Section 6 p. 12). As an example, the recent 2018 West Coast conference was led by a person from a Boston chapter and volunteers from several other parts of the United States.

To our knowledge, QuickBooks has never been set up to track separately convention or conference's income or expenses, nor likewise the bookstore, nor are these reported accurately on the 990.

3. False & Inaccurate Information Filed on the 990'stion

We reviewed recent 990s filed by the ASD (2014-2016) and identified what we believe are false, fraudulent reports. We believe the same errors and omissions and falsehoods are on ASD filed 990's for at least a decade or more. Again, we are not financial experts, but believe these items listed below are falsely and/or inaccurately reported to the IRS.

a. Board Compensation

The IRS states that the organization must not be organized or operated for the benefit of private interests, and no part of the organizations' net earnings may inure to the benefit of any private shareholder or individual. The Form 990 requires any compensation received by current trustees be reported.

No trustees report the receipt of compensation on the 990, yet trustees are paid for giving workshops and speaking and have been for years. The Board indicated they were paid

and that four trustees were giving workshops for which they would be paid in the March 27, 2018 board minutes – Marty Lucas, Alden Gaudreau, Sandra Isgro, and LeeAnn Potter (Att. 16 p.4).

When setting up conventions, trustees are on the committee, for example for the 2018 annual convention current president LeeAnn Potter and secretary, Matt Minor were on the committees choosing proposed workshops and vendors. The trustees on the committees receive a lot of applications, however all trustees seeking to have a workshop or vendor table are given one although not all applicants are approved making this also appear to be a conflict of interest. The Trustees are paid and do not report it on the 990. We do not know if trustees receive free or discounted tables at conventions.

The IRS Compliance Guide for Charities appears to prohibit part of an organization's net earnings to inure to the benefit of trustees and requires reporting. ASD trustees put themselves on conventions and priority over other applicants to get paid and do not report this income.

b. Conflicts of Interest

The Form 990 requires reporting conflicts of interest as well as annual disclosures of conflicts of interest.

The Board does not report existing conflicts of interest on the 990. The 990 also indicates that the ASD has an ethics committee overseeing governance – there is none that we are aware of We do not believe that ASD trustees file annual disclosures as reported on the 990.

In one example of a conflict of interest, former ASD trustee and treasurer, Kevin O'Brien, had rented space to current ASD president LeeAnn Potter for her healing business, and was involved in this business. LeeAnn Potter threatened former trustees including threats of lawsuits if she was not put on the board. She achieved her goal. Former president and current trustee Marty Lucas[2] had LeeAnn Potter lead a 2016 "financial audit" that focused on attacking and removing memberships of anyone involved with WFHF charity activities, including trustee liaisons who raised ASD financial concerns. LeeAnn Potter then was voted by the board (on which Kevin O'Brien was a treasurer) to be on the board. After past president Tick Gaudreau resigned in June 2018, and said he refused to do unethical acts demanded by the board, LeeAnn Potter assumed the presidency.

The Form 990 requires reporting payables between the organization and persons including direct and indirect business transaction including between the organization and family members of governance and management officials of the organizations.

Other trustees also employed their relatives at the ASD office and bookstore, including former trustee Sandi Ruelke. The office manager, the only key full-time employee for ASD, has hired her daughter. There is no reporting of these payments or transactions on ASD's 990.

[2] Marty Lucas is a retired major who sells Radionics machines. He has not divulged this to the dowsing market in his dowsers.org bio and has not done so on the 990. http://www.everyadvantage.net

c. Grants and Assistance to Foreign Organizations

The IRS requires reporting of more than $5,000 of grants to domestic or foreign organizations.

The ASD's WFHF has provided grants and funding to organizations throughout the world such as India, to an organization that does work in Jamaica and Mexico, and other third world countries as well as within the United States. The ASD reports $0 on its 990. The WFHF committee was aware of this regulation and did not recommend any grants $5,000 or over. Since ASD terminated the WFHF committee we believe that there may have been grants awarded that exceeded $5,000 in aggregate or individual to foreign organizations or to domestic ones that fund foreign organizations or individuals.

Prior to the ASD board taking over the WFHF there were detailed annual reports given at the annual meeting, annual reports and periodic reports emailed to donors and members and it was very clear where donations were used. After the ASD board assumed control of the WFHF and began giving away donations information as to where the money went is practically nonexistent, therefore it is not possible to identify where donor funds are given out to. As noted, the ASD refuses to provide requested financial information and records and those provided at annual meetings appear inaccurate and not very detailed.

At the time the WFHF was frozen in 2016 and the members terminated, the WFHF secretary provided the ASD board with a spreadsheet with the status of commitments and monies and we have attached this (Att. 23 – 24). There is no record available to members that confirms these expenditures were made.

We do not believe that the ASD has used the money as committed as we discuss below where the trustees started giving away the WFHF money for disaster relief. On board calls it appeared that funds greater than the $5,000 threshold were being distributed in at least 2016.

d. CPA Audits Not Reported

The IRS requires reporting audited financial statements be reported on the Form 990.

ASD's bylaws require annual financial audits by members, or if members cannot be found, by a CPA. No financial audits were done from 2006 – 2016. In 2016 an internal financial audit led by current ASD president LeeAnn Potter (then a volunteer) was used not to look at ASD's financial records as required by the ASD bylaws, but to go after individuals associated with the Water for Humanity Fund and bring charges against them and terminate their memberships (again without defining the charges or allowing due process) (Att. 13). The ASD's attorney at the time, Rebecca Black stated that *"I am also concerned, based upon your report, that your status as a 501(c)(3) organization and as a Vermont non-profit is in jeopardy due to poor record keeping and a lack of accountability. It is imperative that you have an independent auditor conduct a thorough audit of the overall organization including WFHF to determine what corrective measures need to be taken to maintain your status and to move forward with procedures for accountability and proper record keeping in place."* (Att. 13 p. 2)

A CPA was hired by the ASD to do a financial audit following the 2016 annual meeting, however, even though past president Tick Gaudreau indicated that he received the CPA's report in March 2017 (per an October 26, 2017 board meeting recording), the audit has never been released to the membership as required by the bylaws (Att. 14 Chapter X Section 1 p. 10).

The CPA audit was also not reported on the 990. As we have been unable to receive a copy of the CPA audit we do not know the scope and whether includes audited financial statements that would require reporting on the 990. As noted above, the Board has also to date refused to release the audit to members at the annual meeting as required by its bylaws (See financial request by Ms. Fallon 10/3//17 Att. 25). No financial audits have been held between 2006 and 2016.

At a January 30, 2018 board meeting, trustee (and now president) LeeAnn Potter suggested removing the auditing of financial reports annually and put in general "periodically" language which would further weaken any type of checks and balances or identification of financial improprieties (Att. 26 p. 1).

e. Travel

On the 990 forms, there are travel expenses reported. The board has said in its minutes that they do receive travel funds, but use their own money for travel to conventions, conferences, and meetings. The information listed is false by their own admission and it is unclear who is getting the money listed or if it is just a false listing. We know that several years ago the president had a travel budget of $5,000 but do not know if it has been maintained as it is not a line item on the annual financial report.

f. Raffles, Auctions and Fundraising Not Reported

The ASD does not report on the 990 incomes from raffles, auctions and other fundraising. There is an annual raffle and silent auction at annual conventions that is not reported. The other conferences also hold raffles. The ASD also raises money by life membership raffles that are not reported. There are periodic fund-raising events such as online crystal auctions that go unreported (Att. 27). For years there has been a silent auction to raise money for WFHF. We know that different states have different requirements for gambling and handling raffles, auctions and fundraising but see no reference to this in their annual financial report nor do we see a Schedule O. We have seen no evidence of reporting raffle income to any state.

The IRS requires a Form 8282, Noncash Charitable Contributions be filed for charitable deduction property that is sold within 3 years and has a value over $500. In addition, the 990 requires reporting when a donor makes a payment in excess of $75 partly as a contribution and partly in consideration for goods or services provided by the organization.

The ASD also does not report non-cash gifts received such as expensive crystal collections and other goods. In its recent April 24, 2018 board meeting minutes the Board indicated having crystal auctions online and at the annual convention (Att. 7 p. 2).

The ASD does not report when non-cash gifts are received and sold in auctions and raffles where donors have paid more than the value of the goods as a donation. We are unsure whether the ASD has filed the required Forms 8282 for donated property as ASD refuses to provide requested financial information to members.

g. Other 990 False Reporting

- **<u>Volunteers</u>**

Form 990 requires that the number of volunteers who provided the volunteer services to the organization during the reporting year be reported. If information is

not tracked elsewhere a reasonable estimate and basis for determining the number must be reported.

Although the ASD has extensive numbers of volunteers it has always reported none on the Form 990. Volunteers act as special advisors to the board, act as members of committees, work on conventions, lead calls and groups, and numerous other activities. The bylaws and annual meeting report describe various volunteer committees (see Att. 11 2018 Meeting p. 13 – 17).

- **Governing Body and Management**

The Form 990 requires reporting the number of voting members of the governing body.

The number of voting members is consistently falsely reported and doesn't match the true number of trustees or event those listed later in the 990.

The Form 990 requires reporting if any of the organizations' current trustees or key employees had a business or family relationship with another of the current trustees or key employees.

ASD has not reported the relationships described under conflicts of interest where a board member received money and was involved in a business with a member (who is now the ASD President) nor where family members of trustees and the operations manager (a key employee) have been hired.

The Form 990 requires reporting significant changes to its organizing or enabling documents including its bylaws.

ASD indicated that there were no significant changes, however there have been changes to the bylaws including the number and duties of the governing body's voting members, provisions to amend the bylaws, policies and procedures. There also have been as described significant changes in the ASD's WFHF where money was distributed for disaster relief and not in accordance with the WFHF's mission and purpose or donors' intent (Att. 14 bylaw sections list dates when updates where made).

The Form 990 requires reporting whether persons other than the organizations' governing body had the right to elect or appoint members to the governing body.

Elections for board members by the membership is done every two years (in odd numbered years) therefore ASD has falsely reported elections by the members in even years. In addition, the ASD trustees and not the membership has appointed members to the governing body including in 2018 to avoid elections.

The Form 990 requires reporting if governance decisions of the organization were reserved to members other than the governing body.

As noted throughout this complaint, the Board has been making governance decisions and not permitting the membership to be involved. This includes the dissolution of the WFHF, appointment of trustees, etc. The trustees virtually run the ASD as their own private club.

The Form 990 requires that trustees and key employees disclose or update annually information regarding their interests and those of their family members that could

give rise to conflicts of interest such as a list of family members, business transactions or affiliations.

We do not believe that conflicts of interest are being disclosed including other family members, hiring relatives and having business relationships such as that involving Kevin O'Brien (former Treasurer) and LeeAnn Potter (member and current President) where Ms. Potter leases property for her business owned by Mr. O'Brien and Mr. O'Brien is involved in the business.

- **Policies**

The Form 990 requires that a copy of the Form 990 is provided to all members of its governing body before filing the form.

In a board meeting on April 24, 2018 a trustee expressed concern that the Form 990 was already submitted and that the Board hadn't signed off on it as required (Att. 7 p. 3).

- **Disclosure Requirements**

The IRS states that exempt organizations must provide copies of annual returns and applications for exemption within 30 days of written requests. These tax documents include returns, schedules, attachments, or supporting documents. The IRS provides penalties for failures to provide a copy of an annual return up to $10,000 for each failure to provide a copy of an annual information return.

On the Form 990 ASD indicates that it provides this information upon request. We have attempted to obtain financial records from the ASD since financial reports are not provided to members except general reports at annual meetings (though in 2016 and at other times no report was given out)

During monthly board calls, the board approves the treasurer's report with discussing it or any information in it (e.g. see Att. 4, 16, 26 board minutes). The ASD was asked to post monthly financial information and refused saying it is available upon request. On the 990 the ASD also indicates that financial information is available upon request.

On October 30, 2017 Janis Fallon requested financial information, including that which the IRS's 990 says is available to the public such as 990 filings. (Att. 25). To date no response has been received despite numerous requests except an email from former president Tick Gaudreau regarding concern in providing this as non-members may see it and that he was discussing this with ASD's law firm.

h. Discrepancies Between the 990 & Financial Information at Annual Meetings

When reviewing the 990s and the financial reports given to ASD members at annual meetings we are unable to reconcile the documents including for income and expense. There are significant discrepancies in numbers between them, categories don't match, and we are unable to reconcile the information reported. (See annual meeting financial reports in Att. 10-12 and 990s Att. 19 – 20).

This may be due to intentional falsification of information reported or just due to poor accounting practices by the ASD. In the March 27, 2018 board meeting, there was a discussion regarding the 2016 annual report and a discrepancy of $28,000 being reported as $4,700 (Att. 16 p. 1).

4. Improper Handling & Reporting of Charitable Donations

As noted above, the ASD has a charity called Water for Humanity Fund ("WFHF"). The ASD Policies and Procedures Manual (PPM) describes the membership of the Committee (at least 7 members, the proposal review process and recommending the awarding of grants to organizations (Att. 6 p. 37 – 40). The PPM does not include ASD's financial management of the fund, yet the office manager and ASD treasurer receive and deposit all donations for the fund, track restricted donations, handle bank accounts, write any checks, do accounting and reporting, and report all relevant information to the CPA firm for the 990. The WFHF committee does not handle any monies except to occasionally receive daily cash from raffles and turn this over to the office manager.

On August 4, 2017, the ASD board led by then President Marty Lucas brought charges against the WFHF committee including a long-time member of the WFHF committee, Steven Herbert, and their advisors (Att. Mr. Herbert and the others were brought up on mostly unspecified and also false charges by the ASD board of trustees. Many of their memberships were terminated. Two former ASD trustees, Annette Weis and Sandra Ruelke and three current ASD trustees, Marty Lucas (then president) and LeeAnn Potter (current president) through her 2016 internal audit were primarily responsible for these unspecified charges and terminations. LeeAnn Potter, current president and former volunteer headed the "2016 WFHF audit" (Att. 13). Other current trustees who actively advocated for these terminations were: Sandra Isgro and Keith Schaffer. Other trustees who voted against the terminations or abstained, then later resigned from the Board of Trustees included Jean McDonald (membership terminated), Rebecca Gurland, Jennifer Anderson (ethics charges brought against by ASD board), Richard Beneshai, Diane Bull and Treasurer Kevin O'Brien (who posted on Facebook that he *resigned because* the ASD *was rotten through and through)*. This is described in greater detail in the 2017 charges attached as evidence.

None of those terminated members were allowed due process. Mr. Herbert was cleared by his chapter in accordance to the bylaws, however the ASD has to date refused to reinstate him or the other terminated membership.

After the board terminated all members associated with WFHF they put one person in charge of WFHF, LeRoy Bull, with 2 trustee liaisons (Keith Schaffer and Tick Gaudreau). The PPM, as noted, requires at least a seven-person committee and has procedures for receiving, reviewing and recommending awarding grants. After termination of the committee members, the ASD board minutes throughout 2017 and 2018 indicate that they had no idea what the WFHF coordinator was or is doing, they have received no reports, and he is not on any board meeting calls though he was asked to. No WFHF committee has been created. At the March 27, 2018 board meeting it was indicated that Leroy Bill was not on the distribution list for WFHF and no reports had been received or filed (Att. 16 p.2).

The board in 2017 began giving out money themselves for disaster relief without even involving the WFHF coordinator or the yet formed committee who are required by ASD's procedure manual to receive proposals, assess needs, and determine grantees.

a. Restricted Funds

There is an ASD WFHF bank account (office manager and treasurer are signatories), but no sub-fund or QuickBooks accounting for restricted funds where the donor has donated money for specific purposes, such as a well in India. The only overview was done by the WFHF committee and they were never asked to submit reports to the ASD or the CPA firm.

When three persons asked for accounting of their donations following the termination of WFHF members (Ms. Fallon donated over $30,000, Susanne Dillion, a WFHF fundraiser and donor who was charged by the ASD board on unspecified charges, and Ms. Pitkin who donated $7,000 of her father's books to fund a well in India), the ASD board initially refused to respond (Att. 8, 9, 29). Ms. Pitkin in 2016 asked for the return of her father's books – this was also ignored until partially returned in mid-2017 by then president Tick Gaudreau. After many requests Ms. Fallon was told her money had been spent and the board could do what they wanted with it. This is contrary to what WFHF members had told Ms. Fallon was remaining of her donations at the time of their dismissal.

The WFHF committee provided ASD with a spreadsheet listing what monies ASD had and what they were committed to (Att. 23 and 24). There is no assurance that this information reconciled with the ASD Quick Books and it has not been reported on the Financial Reports nor the 990's.

Restricted funding included an Indiegogo campaign for a specific group home in India for a well (Att. 28). It is suspected that the restricted funds have been given away by the Board not in accordance with the PPM, the donor's intent, or charitable donation requirements.

b. Accounting of Donations and Expenditures of Foundation Grant

As documented in the charges, donations to WFHF were often not documented by the ASD office manager and it was unclear what bank account they were deposited. The WFHF treasurer would hear of a donation from a donor and ask the ASD office manager as it had not been recorded in the ASD WFHF account, then the donation would be "found" and deposited. The WFHF Treasurer asked repeatedly for accountings and information but often could not get them from the ASD office manager or ASD treasurer (e.g. in Att. 15 charges see p. 135 – 138). As noted above, both ASD's CPA and the 2016 ASD attorney commented on the ASD's issues with accounting and record keeping and the threat to the ASD's 501(c)(3) status.

When applying for an Annenberg Grant for ASD to improve headquarters oversight and management of WFHF, the office manager and ASD treasurer hired a new accounting firm to do their 990's after Annenberg reviewed their accounting information and identified inaccuracies. Ms. Loomis reported improper accounting and bookkeeping to the ASD treasurer and WFHF committee when developing the Annenberg midterm report. It lacked categories required for non-profits and related charities, handling of donations, mixing funds, inadequate tracking, etc. (see Att. 15 Ethics Charges p. 129-134 where Ms. Loomis expressed her concerns). Her concerns were echoed by the ASD's CPA firm. To date we believe this is a serious issue because none of this information shows up in the annual financial reports nor has it been addressed in board minutes.

Additionally, the gains from the Annenberg grant have been eroded. Headquarters never used the computer to manage grants or track donations and it is unclear how the computer is currently being used (do not believe it was reported on the 990). The Annenberg-funded headquarters' managed e-newsletter and website were both discontinued and the office manager's job description was never revised to provide proper oversight for WFHF.

c. Use for ASD Expenses

In the 2016 annual membership meeting and in board meetings, trustees Marty Lucas and Annette Weis (both former ASD presidents) indicated that they were using WFHF donations for ASD legal expenses (See Att. 10 2017 Annual Meeting which contains the 2016 meeting transcripts p. 6). Concern was expressed by members, however the board indicated it was WFHF's fault they were having legal issues. Use of donations to the WFHF is not what a donor donated money for and is not within the WFHF mission.

d. Disaster Relief

The WFHF's published mission is *to provide funding for the development of dug or drilled wells and other aspects of water resources and recovery worldwide in areas of critical need. The second purpose of WFHF is to demonstrate the use and practical application of dowsing, and to establish credibility of the dowser's theory of primary or "live" water.* (Att. 3)

After freezing the WFHFs and terminating memberships as noted above, in 2017 the Board started giving away WFHF donated monies. Money was given for disaster relief for plastic water bottles in the U.S. and Puerto Rico. In a board meeting in October, the board indicated that it might also give money to the National Guard. Not only did the board not follow ASD WFHF procedural requirements but the money was not used for the purpose of donors to support WFHF's mission. (Att. 2 -5).

When Ms. Fallon asked for an accounting and return of her unused funds, the ASD responded that they had spent her money and could use it for disasters. Another lifetime member, Susanne Dillon also expressed her concern as a donor for her funds to be used for disaster relief. (Att. 29 & 9).

The IRS appears to require that charities report on the 990 new activities such as disaster relief that were not in the original application for exemption. There also appears to be a required needs assessment for short term emergency assistance. None of the 990 reporting has been done nor any required assessment.

e. Dissolution of WFHF

One trustee expressed concern that they could get into trouble calling it dissolution so suggested they use the wording "partnership" with other organizations (Att. 7 p. 2). The intent appears for the ASD board still to give away all the WFHF money.

During the ASD January 30, 2018 board meeting, it was discussed to change the bylaws or policy manual, presumably because the ASD is not complying with the requirements in it policy manual that govern the committee membership and process of receiving proposals and awarding them. At that meeting, there was discussion of partnering with other agencies (Att. 26).

The ASD board at its April 24, 2018 board meeting indicated that it plans to dissolve the WFHF with a plan prepared by trustee LeeAnn Potter and give away all the money, over objections from then president Tick Gaudreau. Although this would appear to be a governance issue, LeeAnn Potter said the board could decide themselves, though he anticipated problems with the plan and intent if it were brought up at the membership meeting. Trustees Annette Weis and Sandi Isgro made motions and voted to give the WFHF money to water.org. This organization has no mission involving dowsing, so it

would appear that donor's intent and the mission of WFHF are not being followed. (Att. 7 p. 3)

The process has started with the selling of Exon stock donated to WFHF. We do not believe this is in accordance with that donor's intent or meets IRS requirements.

The 990 also says the membership makes governance decisions, however, the Board continues to unilaterally make all decisions without membership involvement. As a long-time charitable fund and activity, the dissolution should be governed by the membership and not unilaterally by the ASD board.

5. Improper Handling & Reporting of a Trust Fund

The IRS states that bylaws are an organizations' internal operating rules. Vermont State laws also apply.

ASD consistently has failed to follow its own bylaws. An example is its handling and reporting of a Trust Fund. (Att. 14 Chapter XI p. 10 – 11)

The ASD created a Trust Fund called the American Society of Dowsers Trust Fund ("ASDTF"). Per the ASD's Bylaws Chapter XI this fund was to be overseen by an advisory committee of three ASD members who had financial background or knowledge. This committee would review the performance of the government regulated trustee and report at the annual meeting about the Trust. Annual distributions from the fund to the ASD checking account are required quarterly based on the Trust return.

These members of the initial Trust Fund committee quit when the ASD treasurer and Office Manager refused to tell them the amount in the trust fund and even where it was invested. At least one of these committee members was a CPA and her membership was terminated by the ASD board without telling her the charges or allowing due process after she expressed in writing her concerns to the ASD board (see Dreama Brower resignation letter citing the concerns in the Ethics Charges Att. 15 p. 94). A former trustee, Jean McDonald, asked at a board meeting the value of the fund and the board refused to tell her and later terminated her membership on unspecified charges when she raised concerns about this and other irregularities (See Ms. McDonald's letter of resignation in the Ethics Charges Att. 15 p. 59 - 63).

This Trust Fund is not accounted for or reported on the 990 and it is still unclear how much is in it, whether it has been used, or any information. There is no known committee overseeing the ASDTF since the initial group quit and it is unknown what has happened to the monies.

6. Whistleblowing Retaliation

As described above, the ASD board has retaliated against anyone raising financial or other issues by terminating memberships, including lifetime ones that cost thousands of dollars. These are described in the attached charges.

As noted, ASD members filed ethics charges against certain trustees in June 14, 2017 (Att. 15). The bylaws require that an independent ethics committee with at least three members be formed to hear charges against trustees (Att. 14 Chapter XV Section 2 p. 13. Initially then president Tick Gaudreau (he and Matt Minor were the two uncharged trustees) requested names of individuals as he couldn't find anyone to be on the ethics committee. Names of individuals not associated with those filing the charges or chapters with terminated members were given and some individuals contacted him directly to volunteer. President Gaudreau

indicated the charged trustees gave him names and we believe he chose two of those members to be on the ethics committee. Matt Minor, one of the two uncharged trustees was appointed to the committee. Ms. Fallon told the president, Tick Gaudreau and Mr. Minor, that it would be a conflict of interest as only trustees Tick Gaudreau and Matt Minor could vote on ethics committee recommendations, but that was ignored.

In the March 27, 2018 board meeting it was stated that the ethics committee hadn't met yet, though they had the information and had reviewed them (Att. 16). This board meeting's minutes were only recently posted and in the section related to the ethics charges, numerous sections are blacked out. Charged trustee Marty Lucas made a motion to dismiss the charges against themselves. President Gaudreau objected and indicated that the bylaws required hearing by an ethics committee, that trustee Marty Lucas was charged so he could not make that motion per the bylaws and ruled the motion out of order. It appears there was extensive discussion which was not described in the minutes. Charged trustee and current president, LeeAnn Potter, also appeared to have concerns with there being an ethics committee. President Gaudreau repeatedly reiterated that an ethics committee had to adjudicate the charges and the board had a responsibility to do due diligence and noted that any actions prejudicial to the interest of the society could be contained in the charges. He noted that the ethics committee had not been handled well and he would take the lead to have the committee make a decision within 6 weeks.

In the minutes, it also notes that Janis Fallon is the only signer of the complaint – though we are not sure why the other 14 individuals who were listed on the charges (after reading and requesting to be a complainant) are not considered as bringing the charges. We are not aware of any requirement for each person to physically sign their names. In past charges terminating memberships by the board only one person signed the letter but indicated it was by the entire board or executive committee, so it is unclear if this is being used to take retaliatory actions singled out against Ms. Fallon. A large section is blacked out on the board minutes so that members cannot read the subsequent sentences.

In the March meeting the board also discusses trying to change the bylaws, we imagine with the intention of preventing charges against trustees or to not require an independent ethics committee review of any financial or illegal actions by the board. The trustees also then said they had voted to require that when then president Gaudreau talked to the ASD attorneys that it be recorded or someone be on the call, apparently as the board did not like or believe what the ASD's attorneys were advising in regard to the ethics charges.

It is not clear if this issue came up prior to the annual convention as the May board meetings are not posted (there is one on the website listed as May but it is not of a May meeting). Other board meetings are not posted including February 2018 and December 2017 which might have relevant information.

As of June 2018, no ethics committee had met. President Gaudreau abruptly resigned as president just prior to the June 2018 annual convention and member's meeting as he stated to several people that he would not do unethical things that the ASD Board was demanding. In their June 14, 2018 board meeting minutes, the new president LeeAnn Potter indicated that at the annual meeting trustee Marty Lucas would discuss the ethics complaint and the process to be used for an ethics committee (Att. 17). However, at the 2018 annual meeting charged trustees, Marty Lucas, LeeAnn Potter, Annette Weis, Sandra Isgro and Keith Schaffer set up a plan to get the charges against them dismissed. Marty Lucas threatened the 60 members in attendance that the board would walk away immediately leaving the convention, bank accounts, employees, etc. if the membership didn't immediately clear them of all charges.

Very few in the meeting were aware of or had seen the charges. A member of the ethics committee was there and asked for more help so they could finish their review. After continued threats by the charged trustees, the membership voted to dismiss the charges. As noted this is an invalid vote as the ASD bylaws require due process and an ethics committee to hear the charges and investigate and make recommendations to the uncharged trustees. (The annual meeting was recorded but ASD has failed to post the recording on its website with other past meeting recordings, therefore this information was compiled from information from meeting attendees).

Then the ASD board brought a motion to retaliate and terminate the memberships of all those who filed the Ethics Charges. Former President Adhi Two Owls (who had resigned in 2016 due to the unethical activities by the ASD board) spoke against it and the motion was dropped. At the board meeting the next day on June 15, 2018, the ASD board indicated they were going to go after those filing the charges anyway and indicated they were going to send out letters and get a former ASD attorney involved (Att. 15).

It also appears that on the listing of chapters on the ASD website, that the ASD board removed chapters as retaliation who were associated with the member who was terminated. The Danville Dowsers, Idaho Society of Dowsers, Michigan Dowsers, Seattle Dowser chapters though still active have been removed. Chairs of these chapters were among those terminated and that are involved in filing charges against the ASD board, e.g. John Serino, Dan Prater, Don Black, Amelia Loomis. This prevents individuals from locating these chapters, find local dowsers, become members and disseminate chapter activities and events. The chapters were not notified that they were being removed from the ASD website. The chapters do not know if this impacts their coverage under the ASD's insurance or for those using ASD's 501(c)(3) status as there has been no communications regarding the removal or impact of the removal.

ASD also on their website appear to have eliminated the life membership category due to concerns over the value of life members that were arbitrarily terminated by the ASD and that are reflected in the 2016 charges against the ASD. ASD's bylaws still contain a category for life memberships (Att. 14, Chapter III Section 3(c)). Life members have not been informed nor has the membership and the membership has not been involved in this decision. Life membership raffles and awards were still done by the ASD during the 2018 convention. This appears as further retaliation against members for bringing up financial irregularities and issues who included a number of life memberships and concerns over legal ramifications as the values of these memberships which are thousands of dollars based on age).

We are concerned that the ASD board will continue their practice of retaliating against members who raise concerns of violations of federal and state law, financial improprieties, as well as violations of ASD's own bylaws and procedures. The ASD is attempting to change its bylaws to prevent independent ethics committees or any type of governance oversight. Any whistleblowing is met with harsh retaliation and termination of memberships worth thousands of dollars and no chance for due process.

7. Summary

Due to the real and immediate threat that the ASD trustees will give away the WFHF donations improperly and not to an organization with the same mission nor meeting donor's intent, we ask that you freeze the WFHF funds while you investigate the ASD. We would also like other organizations with a dowsing mission to provide proposals to

assume the WFHF with the same trademarked name and purpose to continue the Fund's mission.

We believe this is only the tip of the iceberg of financial and other improprieties. Due to the refusal to provide members with financial information, we are unable to know what other IRS laws and regulations are being violated or how monies are being received, handled, used, or reported. We do not know if money is being "lost", used improperly, or worse.

We respectfully request that the IRS investigate the American Society of Dowsers and their use and dissolution activities for the WFHF assets. Even though we are very concerned about retaliation for our whistleblowing, we truly feel this is in the highest good of the organization and the right thing for us to do. We ask that we be protected from retaliation for whistleblowing.

A former president, Adhi Two Owls who resigned when asked to do things in regard to the Water for Humanity Fund and actions that she felt were unethical, has offered to speak to you directly about the ASD. She can be reached at (267) 884-4252, adhizen@gmail.com.

A former trustee, WFHF liaison, and finance committee member, Jean McDonald, who resigned from the board and later the board terminated her membership, has offered to speak to you directly about the ASD. She can be reached at (517) 719-0968, mcdonaldjeanm@gmail.com

We would be happy to provide other information or contacts that might have useful information if needed. We have extensive files and also can provide more documentation including on ASD board meeting and annual meeting recordings and individuals with relevant information.

We thank you for your time and consideration.

Sincerely,

Janis Fallon & Amelia Loomis

Janis Fallon & Amelia Loomis

Contact Information

Janis Fallon, [redacted]

Amelia Loomis, [redacted]

SUPPORTING DOCUMENTATION

Att. 1 ASD website information about the ASD

Att. 2 Water for Humanity Fund Information from the ASD website

Att. 3 Water for Humanity Fund Brochure

Att. 4 Water for Humanity Newsletter April 2015

Att. 5 Water for Humanity Trademark Application and Award

Att. 6 ASD Policy & Procedure Manual

Att. 7 ASD Board Meeting Minutes April 24, 2018

Att. 8 LPitkin Donor Accounting Request May 16, 2016

Att. 9 SDillon Donor Letter November 14, 2017

Att. 10 2017 Annual Meeting Handouts

Att. 11 2018 Annual Meeting Handouts

Att. 12 2016 Annual Meeting Handouts

Att. 13 2016 ASD Internal Financial Audit

Att. 14 ASD Bylaws

Att. 15 2016 Ethics Charges

Att. 16 ASD Board Meeting Minutes March 27, 2018

Att. 17 ASD Board Meeting Minutes June 14, 2018

Att. 18 ASD Board Meeting Minutes June 15, 2018

Att. 19 ASD 2015 Form 990

Att. 20 ASD 2016 Form 990

Att. 21 ASD 2017 Form 990

Att. 22 ASD Annual Chapter Report Form from the ASD website

Att. 23 Water for Humanity Fund Obligations to Grantee Report May 15, 2016

Att. 24 Water for Humanity Fund Spreadsheet with Grants and Obligations May 14, 2016

Att. 25 JFallon ASD Financial Information Request October 30, 2017

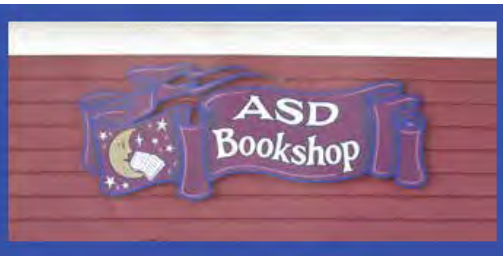
Att. 26 ASD Board Meeting January 30, 2018

Att. 27 Water for Humanity Fund Online Crystal Auction from the ASD website

Att. 28 Water for Humanity Fund Indiegogo Fund Raiser

Att. 29 JFallon Donor Accounting Request October 20, 2017

Note: Other documentation is available and can be provided.



The American Society of Dowsers is a nonprofit corporation founded in Vermont in 1961 to disseminate knowledge of dowsing (water witching, discovery of lost articles or persons, and related para-psychological phenomena), development of its skills, and recognition for its achievements.

One purpose of ASD is to assemble all manner of dowsing theories, ideas, techniques, applications, instrumentation, experiences, etc. for study and evaluation. The society issues the quarterly journal the American Dowser, which present a representative cross-section of this highly diverse material.

The American Society of Dowsers holds an annual convention as well as regional conferences and local chapter events throughout the year.

Mission Statement:

The American Society of Dowsers, Inc. is a scientific and educational non-profit organization whose mission is “to support, encourage and promote dowsing and dowsers in a manner consistent with the highest standards of personal integrity and behavior; to provide dowsing education and training to dowsers and non-dowsers alike to bring them to a level of proficiency they are comfortable with; to promote and foster communication and fellowship among all persons in any way interested in dowsing.”

By-Laws
Policy and Procedures

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Board of Trustees & Regional Officers

Read More

Headquarters
Headquarters is located in Danville, VT

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Specialty List
The Dowsers Specialty List is a carefully maintained group of professional dowsers who have demonstrated their dowsing proficiency by providing references from past clients for whom they have dowsed.

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American Dowser Quarterly Publication Information

YOUR ASD EDITORS ARE EAGER TO RECEIVE YOUR MANUSCRIPT! ~ About Submissions To The American Dowser ~ The following guidelines will help you in having your submissions accepted by the editors for publication. The ASD…

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Videos

Watch dowsing videos on our YouTube Channel

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Members of the American Society of Dowsers make up the largest organized body of dowsers in the world, with over 2,000 active members across the United States and worldwide. Our members range from the most experienced to the most eager…

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Dowsing History

Dowsing: Ancient HistoryWritten by Lloyd Youngblood The Ancient art of dowsing has been practiced throughout millennia, although the names used to identify it may have changed in different cultures and eras, the techniques have not. In this vein, in 1949,…

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Contact Us

asd@dowsers.org
802.684.3417
184 Brainerd St. PO Box 24
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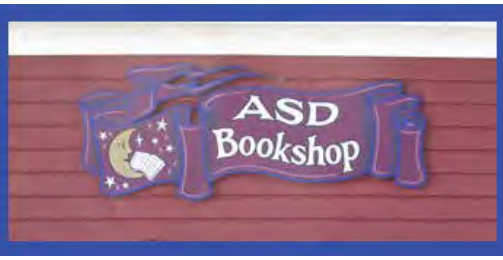

A charitable endeavor of The American Society of Dowsers, Inc.

Since 1991, the Water for Humanity Fund via the American Society of Dowsers, has provided funding for water resources development, purification, protection and conservation worldwide in areas of critical need.

The goal in each case is to increase water resources in terms of quality, quantity and accessibility. Its second purpose is to demonstrate the practical and humanitarian application of dowsing as an art and science.

In over 23 years of operation, projects to provide water are funded in over a dozen countries, spanning North, Central and South America, the Caribbean, Africa and Asia, including projects in the United States on Native American reservations and disaster relief zones.

DONATE NOW!

ONLINE AUCTION to fund a well in India – Click Here

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Member Calendar

What is the Water For Humanity Fund?

In 1991, the Water for Humanity (WFH) Fund was established within the American Society of Dowsers to provide funding for the development of dug or drilled wells and other aspects of water resources and recovery worldwide in areas of critical need. The second purpose of WFH is to demonstrate the use and practical applications of dowsing, and to establish credibility of the dowser's theory of primary or "live" water. The members of the WFH Committee judge and vote on each individual grant request. An average grant is in the range of US $500 to $5000. General funds go directly toward actual water resources development, purification, protection or conservation. It is expected that the beneficiary communities will provide local materials, security, transportation and unskilled labor, as well as some percentage of the overall construction costs. In the case of wells, the donee organization must provide training of individuals in well and pump maintenance, as well as establish a pump repair fund in order to insure the sustainability of the project. Each project must be environmentally sustainable, technologically appropriate, and culturally sensitive and respectful.

PAST & ONGOING PROJECTS

PHOTO: STEVEN HERBERT

India Brother Kimpton, of Reaching The Unreached, has received funding for several years running. Bon Temple, a Tibetan religious organization, was enabled to develop a well. Several other organizations in the southern state of Tamil Nadu have received funding to install borewells and hand pumps in needy villages. A few organizations received funding to restore water resources to Tsunami-affected villages. Still others constructed rainwater harvesting systems.

Senegal A hand-dug well was funded for a gardening and forestry project in the village of Daru Ndiaye.

Honduras A drilled well was provided for hurricane victims in the community of Eden. Portable drilling equipment donated by WHF is being managed by the Centers for Teaching & Learning, and ceramic water filters were distributed to households. A composting latrine was built on the Mosquito Coast.

Mexico Spring captation and piping to the village of Tlamacazapa was a project managed by Caminamos Juntos para Salud y Desarrollo.

Tibet Water resource development for ethnic Tibetans was conducted in collaboration with NYEMA Projects, Inc.

Haiti Drilling projects have been initiated on Ile-a-Vache, and in many other locations in collaboration with Les Artisans de Paix Internationale and Eau Sans Frontières. A bio-sand filter project was initiated following the Jan. '10 earthquake.

Ecuador A shamanic healing center at Lunahuasi in Puerto Quito was provided with a hand dug well. Composting latrines were built for an eco-tourism project.

Indonesia One well supplied an irrigation system for an agro-forestry project involving the cultivation of drought-resistant food crop trees.

El Salvador Portable drilling equipment donated by Heifer Project International and WHF is being managed by the Salvadoran Association for Rural Health. Manos Amigas supervised the construction of a composting latrine. Ceramic water filters are being distributed to select households of certain target villages.

Nepal Pumps were installed on hand-dug and hand-bored wells in several villages in collaboration with Sustainable Peace Here (SPHere). Educate the Children built a community slow-sand water filter.

Native American Drilled well and water delivery projects have been initiated on reservations in Arizona and New Mexico.

Bolivia The organization Jarana has received assistance in purchasing drilling equipment to allow them to dowse and drill their own wells. A second phase funded development of a drilled well, rainwater collection and provided bio-sand filters.

Kenya A dug well and two composting latrines for a school, the distribution of ceramic water filters, a dug well for a hospital, and well renovations are projects funded in collaboration with Konditi Development Initiative International (KODI) in the Kisimu region. Through the organization Expanding Opportunities, a rainwater catchment system and holding tank was funded for a school and surrounding community in the Mangu area of central Kenya.

Tanzania In a project supervised by Carina Water Wells, a large-scale rainwater harvesting system was constructed for Isukamahela Primary School and surrounding community in the Tabora area.

The ASD Water for Humanity Committee is set up to consist of two trustees, one convention committee member, and six ASD members-at-large. The current nine committee members and two advisors are listed on the website.

Fallon, Janis

Subject: FW: Water for Humanity News April 2015

---------- Forwarded message ----------
From: **American Society of Dowsers** <asd@dowsers.org>
Date: Tue, May 5, 2015 at 3:06 PM
Subject: Water for Humanity News April 2015
To: janisefallon@gmail.com

American Society of Dowsers, Inc.

Water For Humanity E-Newsletter

Submitted by WFH Secretary Steve Herbert

April 2015

Volume 7 Number 2

Welcome to the Water for Humanity E-Newsletter, created to keep you the membership and our supporters better informed of the activities of the WFH Fund, in supplement to our regular postings in the American Dowser.

Click Here to be redirected directly to the full WFH Newsletter >

RECENT NEWS ITEMS:

Completion reports: During the period February and March, five project completion reports were received.

Committee meeting votes: In a meeting conducted amongst the WFH Committee on February 17th, funding was approved for six wells in India, one well in Kenya and a composting latrine in Uganda.

Brother Kimpton health status: Since last report there has been slight improvement.

The India Society of Dowsers: Sponsorship by WFH Fund enabled the new India Society of Dowsers to meet for its second conference. A video clip is provided.

Participants of the Indian Society of Dowsers 2nd Convention.

The Water for Humanity Fund has a new website: Newly constructed and made live. Please view it by going to www.waterforhumanityfund.org.

SPECIAL FEATURES:

Call for Raffle donations and volunteers, and Silent Auction bids: Convention is just weeks away. We appreciate your donation of items for the Raffle table and for the assistance of volunteers. Get a sneak preview of two quilts for the Silent Auction!

Quilt for upcoming Silent Auction

WORD World Water Day Awareness Campaign: An event covering nine villages was conducted over a three-day period to bring awareness to many issues related to water on and around March 22nd, World Water Day.

2014 Year End Report: Now released for the fourth year, our full color, four page report.

Convention 2015 Annual Report: The unabridged version of what you will see and hear at the 2015 Convention in June.

REGULAR FEATURES:

Testimonial: Mrs. R. Laxmi tells how the well constructed by CHILDREN WATCH and sponsored by WFH Fund has saved her several miles of walking per day and much time and energy. This was the second well constructed as a memorial to Andy Bray.

Profile: Mr. T. Raji, Secretary and Director of CHILDREN WATCH in southern India, shares with us the story of his life, and how he came from a low caste to defend the rights of children and free those trapped in slavery conditions.

Volunteer Travels and Projects: Steve Herbert, Secretary of the ASD Water for Humanity Fund, shares with us the story of his experiences on an overland journey through Guatemala and El Salvador in 2000 on a bus with several fellow sustainably-minded people.

Appropriate Technology Feature: The India Mark II, first developed in southern India, has become the most popular hand pump in the world. This is the story of that development and proliferation beyond the Indian subcontinent.

Project Completion Report: In their second project in collaboration with the WFH Fund, the organization Buddha Outcast Social Society (BOSS), based in the southern Indian state of Tamil Nadu, report on the construction of a three wells, two of which created a fitting memorial to ASD Trustee and former WFH Committee member Rene Lincoln.

A plaque beside a well to memorialize Rene Lincoln.

Click Here to Read the Full WFH April 2015 E-Newletter>

Donate to Water for Humanity

Click picture to donate to Water for Humanity

Your donation will be used to help people gain access to adequate supplies of safe water.

You may send donations to: Water for Humanity, American Society of Dowsers, PO Box 24, Danville, VT 05828, or click on the picture to the left to go to the donation page of our website. Be sure to specify that you are donating to Water for Humanity.

American Society of Dowsers
Water For Humanity
PO Box 24
Danville, VT 05828
wfh@dowsers.org

Forward email

PTO Form 1478 (Rev 9/2006)
OMB No. 0651-0009 (Exp 12/31/2014)

Trademark/Service Mark Application, Principal Register

TEAS Plus Application

Serial Number: 86151100
Filing Date: 12/23/2013

NOTE: Data fields with the * are mandatory under TEAS Plus. The wording "(if applicable)" appears where the field is only mandatory under the facts of the particular application.

The table below presents the data as entered.

Input Field	Entered
TEAS Plus	**YES**
MARK INFORMATION	
***MARK**	Water For Humanity Fund
***STANDARD CHARACTERS**	YES
USPTO-GENERATED IMAGE	YES
LITERAL ELEMENT	Water For Humanity Fund
***MARK STATEMENT**	The mark consists of standard characters, without claim to any particular font, style, size, or color.
REGISTER	Principal
APPLICANT INFORMATION	
***OWNER OF MARK**	The American Society of Dowsers, Inc.
***STREET**	184 Brainerd Street
***CITY**	Danville
***STATE** **(Required for U.S. applicants)**	Vermont
***COUNTRY**	United States
***ZIP/POSTAL CODE** **(Required for U.S. applicants only)**	05828
EMAIL ADDRESS	uspto@trademarks411.com
AUTHORIZED TO COMMUNICATE VIA EMAIL	Yes
LEGAL ENTITY INFORMATION	
***TYPE**	non-profit corporation
*** STATE/COUNTRY WHERE LEGALLY ORGANIZED**	Vermont
NAME OF ALL GENERAL PARTNERS, ACTIVE MEMBERS, INDIVIDUAL, TRUSTEES, OR EXECUTORS, AND CITIZENSHIP/ INCORPORATION	Sandee Mac, a citizen of the United States
GOODS AND/OR SERVICES AND BASIS INFORMATION	
***INTERNATIONAL CLASS**	036
	Charitable fundraising services by means of **funding for**

***IDENTIFICATION**	**water resources development, purification, protection and conservation worldwide in areas of critical need**; Charitable fundraising to support **funding for water resources development, purification, protection and conservation worldwide in areas of critical need**
***FILING BASIS**	SECTION 1(a)
FIRST USE ANYWHERE DATE	At least as early as 03/16/1994
FIRST USE IN COMMERCE DATE	At least as early as 03/20/1994
SPECIMEN FILE NAME(S)	\\TICRS\EXPORT16\IMAGEOUT 16\861\511\86151100\xml1\ FTK0003.JPG
	\\TICRS\EXPORT16\IMAGEOUT 16\861\511\86151100\xml1\ FTK0004.JPG
SPECIMEN DESCRIPTION	web page, and a digitally scanned photograph of marketing material
ADDITIONAL STATEMENTS INFORMATION	
*TRANSLATION (if applicable)	
*TRANSLITERATION (if applicable)	
*CLAIMED PRIOR REGISTRATION (if applicable)	
*CONSENT (NAME/LIKENESS) (if applicable)	
*CONCURRENT USE CLAIM (if applicable)	
CORRESPONDENCE INFORMATION	
***NAME**	The American Society of Dowsers, Inc.
***STREET**	184 Brainerd Street
***CITY**	Danville
***STATE (Required for U.S. applicants)**	Vermont
***COUNTRY**	United States
***ZIP/POSTAL CODE**	05828
***EMAIL ADDRESS**	uspto@trademarks411.com
***AUTHORIZED TO COMMUNICATE VIA EMAIL**	Yes
FEE INFORMATION	
NUMBER OF CLASSES	1
FEE PER CLASS	275
***TOTAL FEE PAID**	275
SIGNATURE INFORMATION	
***** **SIGNATURE**	/Sandee Mac/
***** **SIGNATORY'S NAME**	Sandee Mac
***** **SIGNATORY'S POSITION**	President
SIGNATORY'S PHONE NUMBER	802-684-3417

* **DATE SIGNED**	12/23/2013

PTO Form 1478 (Rev 9/2006)
OMB No. 0651-0009 (Exp 12/31/2014)

Trademark/Service Mark Application, Principal Register

TEAS Plus Application

Serial Number: 86151100
Filing Date: 12/23/2013

To the Commissioner for Trademarks:

MARK: Water For Humanity Fund (Standard Characters, see mark)
The literal element of the mark consists of Water For Humanity Fund.
The mark consists of standard characters, without claim to any particular font, style, size, or color.

The applicant, The American Society of Dowsers, Inc., a non-profit corporation legally organized under the laws of Vermont, comprising of Sandee Mac, a citizen of the United States, having an address of

184 Brainerd Street
Danville, Vermont 05828
United States

requests registration of the trademark/service mark identified above in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946 (15 U.S.C. Section 1051 et seq.), as amended, for the following:

For specific filing basis information for each item, you must view the display within the Input Table.

International Class 036: Charitable fundraising services by means of funding for water resources development, purification, protection and conservation worldwide in areas of critical need; Charitable fundraising to support funding for water resources development, purification, protection and conservation worldwide in areas of critical need

In International Class 036, the mark was first used by the applicant or the applicant's related company or licensee predecessor in interest at least as early as 03/16/1994, and first used in commerce at least as early as 03/20/1994, and is now in use in such commerce. The applicant is submitting one(or more) specimen(s) showing the mark as used in commerce on or in connection with any item in the class of listed goods and/or services, consisting of a(n) web page, and a digitally scanned photograph of marketing material.
Specimen File1
Specimen File2

The applicant's current Correspondence Information:

The American Society of Dowsers, Inc.
184 Brainerd Street
Danville, Vermont 05828
uspto@trademarks411.com (authorized)

A fee payment in the amount of $275 has been submitted with the application, representing payment for 1 class(es).

Declaration

The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements, and the like, may jeopardize the validity of the application or any resulting registration, declares that he/she is properly authorized to execute this application on behalf of the applicant; he/she believes the applicant to be the owner of the trademark/service mark sought to be registered, or, if the application is being filed under 15 U.S.C. Section 1051(b), he/she believes applicant to be entitled to use such mark in commerce; to the best of his/her knowledge and belief no other person, firm, corporation, or association has the right to use the mark in commerce, either in the identical form thereof or in such near resemblance thereto as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion, or to cause mistake, or to deceive; and that all statements made of his/her own knowledge are true; and that all statements made on information and belief are believed to be true.

Signature: /Sandee Mac/ Date Signed: 12/23/2013
Signatory's Name: Sandee Mac
Signatory's Position: President

RAM Sale Number: 86151100
RAM Accounting Date: 12/24/2013

Serial Number: 86151100
Internet Transmission Date: Mon Dec 23 14:35:53 EST 2013
TEAS Stamp: USPTO/FTK-XXX.XXX.XXX.XXX-20131223143553
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478-CC-1086-20131218143502161926

Water For Humanity Fund

Water for Humanity

A charitable endeavor of The American Society of Dowsers

Water for Humanity

Welcome To the Water for Humanity Fund

In 1991, the Water for Humanity (WFH) Fund was established within the American Society of Dowsers to provide funding for water resources development, purification, protection and conservation worldwide in areas of critical need. The goal in each case is to increase water resources in terms of quality, quantity and accessibility. Its second purpose is to demonstrate the practical and humanitarian application of dowsing and to establish credibility for the art.

A nine-member, all-volunteer committee collectively examines each funding request and selects those most worthy. They are guided in part by the philosophy that all projects must be environmentally sustainable, technologically appropriate and sensitive and respectful of the culture. This committee also examines projects with an eye to for most people benefited per donation dollar, and toward the sustainability of the project design. The latter is typically characterized by village management committees with fair participation by women and youth, designated individuals trained in maintenance and repair, and a fund established to purchase parts. The local organizations with which we partner present village-wide seminars on water conservation, protection and hygiene. Beneficiaries themselves contribute their labor, and other in-kind materials and services.

Projects range from dug or drilled wells on dowsed well sites, rainwater harvesting systems, or spring capitation; training in operation and maintenance of portable drilling equipment; appropriate pumping technology; distribution of water filtration devices; and the construction of composting latrines. Since inception, the WFH Fund has funded projects in fifteen countries to date, spanning North, Central and South America, the Caribbean, Africa and Asia, including projects in the United States on Native American reservations and disaster relief zones. In some cases, volunteers travel on behalf of WFH to overlook projects, consult with partnering organizations and give trainings. We are proud of the tremendous good which is accomplished with wise and efficient use of your donation dollars.

DONATIONS...

To make a donation to the Water for Humanity Fund, click here

Saving America's Favorite Places

For nearly 30 years, The Conservation Fund has been saving special places across America. We have protected 7 million acres of land and water in all 50 states, from the park down the street to historic battlefields, wild areas and favorite destinations of all kinds. Working with community, government and business partners, we strive to balance economic and environmental goals. The Conservation Fund ranks among the top 1% of charities nationwide.

United States of America

United States Patent and Trademark Office

Water For Humanity Fund

Reg. No. 4,662,190

Registered Dec. 30, 2014

Int. Cl.: 36

SERVICE MARK

PRINCIPAL REGISTER

THE AMERICAN SOCIETY OF DOWSERS, INC. (VERMONT NON-PROFIT CORPORATION)
184 BRAINERD STREET
DANVILLE, VT 05828

FOR: CHARITABLE FUNDRAISING SERVICES BY MEANS OF OUR NATIONAL AND REGIONAL CONFERENCES HELD WITHIN THE UNITED STATES AS WELL AS SOME ELECTRONIC FUNDRAISING AND FUNDRAISING THROUGH THE MAIL TO PROVIDE FUNDING FOR WATER RESOURCES DEVELOPMENT, PURIFICATION, PROTECTION AND CONSERVATION WORLDWIDE IN AREAS OF CRITICAL NEED, IN CLASS 36 (U.S. CLS. 100, 101 AND 102).

FIRST USE 3-16-1994; IN COMMERCE 3-20-1994.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "FUND", APART FROM THE MARK AS SHOWN.

SER. NO. 86-151,100, FILED 12-23-2013.

LYNDSEY KUYKENDALL, EXAMINING ATTORNEY

Michelle K. Lee

Deputy Director of the United States Patent and Trademark Office

REQUIREMENTS TO MAINTAIN YOUR FEDERAL TRADEMARK REGISTRATION

WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.

Requirements in the First Ten Years*
What and When to File:

First Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. *See* 15 U.S.C. §§1058, 1141k. If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a federal court.

Second Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between the 9th and 10th years after the registration date.* *See* 15 U.S.C. §1059.

Requirements in Successive Ten-Year Periods*
What and When to File:

You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.*

Grace Period Filings*

The above documents will be accepted as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

The United States Patent and Trademark Office (USPTO) will NOT send you any future notice or reminder of these filing requirements.

***ATTENTION MADRID PROTOCOL REGISTRANTS:** The holder of an international registration with an extension of protection to the United States under the Madrid Protocol must timely file the Declarations of Use (or Excusable Nonuse) referenced above directly with the USPTO. The time periods for filing are based on the U.S. registration date (not the international registration date). The deadlines and grace periods for the Declarations of Use (or Excusable Nonuse) are identical to those for nationally issued registrations. *See* 15 U.S.C. §§1058, 1141k. However, owners of international registrations do not file renewal applications at the USPTO. Instead, the holder must file a renewal of the underlying international registration at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol, before the expiration of each ten-year term of protection, calculated from the date of the international registration. *See* 15 U.S.C. §1141j. For more information and renewal forms for the international registration, see http://www.wipo.int/madrid/en/.

NOTE: Fees and requirements for maintaining registrations are subject to change. Please check the USPTO website for further information. With the exception of renewal applications for registered extensions of protection, you can file the registration maintenance documents referenced above online at http://www.uspto.gov.

Cornell-Brown, Rowan

From: Idaho Dowsers <idahodowsers@gmail.com>
Sent: Wednesday, August 1, 2018 4:40 AM
To: Powers, Michael
Cc: Janis E. Fallon, Esq.
Subject: Fwd: IRS Complaint - American Society of Dowsers Email 3 of 3
Attachments: IRS Complaint Supporting Documentation (3).zip

Importance: High

Dear Mr. Powers,

Attached is the third zip file.

Amelia

Begin forwarded message:

From: "Fallon, Janis" <Janis.Fallon@naes.com>
Subject: FW: IRS Complaint - American Society of Dowsers Email 3 of 3
Date: July 31, 2018 at 2:59:09 PM MDT
To: Idaho Dowsers <idahodowsers@gmail.com>

Dear Sir or Madam:

Attached please find our complaint against the American Society of Dowsers. We have attached email #3 supporting documentation. Due to the size of the supporting documentation, the information is being sent in 3emails.

Thank you for your time and consideration of this matter.

Janis Fallon
Amelia Loomis

PREFACE

A professional society is organized to accomplish certain definite purposes for its members. In order to do so the organization must be governed in its work by established policies and procedures. POLICIES are guiding principles and PROCEDURES are the working methods by which the Policy is executed.

1. In the formulation of policy the following fundamental facts must be considered.
   a. The Members are the Society and the Society belongs to them.
   b. The Board of Trustees, elected by the Membership and acting on their behalf, administers the affairs of the Society.
   c. The Board of Trustees, in response to the desires and wishes of the Membership, establishes the overall policies of the Society and keeps the policies adjusted to meet the changing conditions.
   d. Once policy is established, it is the duty of the Executive Officers of the Society to carry out that Policy.
   e. It is not the duty or responsibility of any one member, trustee or officer to formulate overall policy for the Society by him or herself.

2. The Society's Articles of Incorporation and By-Laws form the foundation of many policies and many procedures which govern and proscribe the Society in its day to day operation. While these documents offer general guidance, they do not cover many points which are desirable for the Policy Statement to include. It is well that a Policy Statement be written out so that policy may be known to all in terms that will be understood and applicable to the situation at hand. Writing out a Statement of Policy has several advantages. In the first place, the sheer exercise of expressing the statement in writing can invoke greater care and precision in its exposition. Also, the written word permits careful study, increasing the probability that, in its final form, the statement accurately reflects the thinking of those who established the Policy.

3. Policy-making is a dynamic, ongoing process. Policies are made as the Society considers all factors and influences and may or may not endure as conditions change. As circumstances change and policies become obsolete they should be restudied by the appropriate committee, board, and staff in light of adjustment to new conditions and new precedents. Policy thus becomes a living body of guidelines, evolving as the needs and circumstances of the Society evolve.

4. Policy provides continuity, applying the wisdom and experience of the past to the present and future problems, avoiding a trial and error approach to each incident. Policy contributes to consistency of behavior which makes for a true team effort. It permits the Board of Trustees and Officers to delegate with the knowledge that the Operations Manager can apply the plan of action to specific cases in approximately the way that the executives would act under similar circumstances. When a plan of action is applied repeatedly, the quality of decision making is improved up and down the line, leaving the President and/or Board of Trustees free to cope with the truly exceptional situations. Policy helps support morale and motivation when each person knows what is expected of him or her. It also supports individuals when they know that their actions are being supported by Policy.

EMPLOYMENT POLICY

PREFACE

Any Employment Policy, Job Description, or Personnel Handbook is considered to be a legally binding contract by the State of Vermont.

1. The American Society of Dowsers, Inc. (ASD) is an "equal opportunity" employer.

2. All employees who, in the pursuit of their duties as employees of ASD, have significant contact with the Members of ASD, prospective Members and/or the general public, shall be persons who enjoy contact with people and are warm, friendly, tolerant, cooperative, and outgoing ready communicators.

3. Also, all ASD employees, who as aforesaid, have significant contact with the ASD Membership, prospective ASD Members and/or the general public, shall be highly motivated in regard to dowsing and have a strong, positive attitude in respect thereto. This is not to be construed as meaning that such employees must be dowsers, but they must have a sincere belief in the reality of dowsing as a fact of life and project this attitude without equivocation. It would seem to be essential that ASD have employees who believe in what they are hired to promote.

4. ASD highly values creativity in its employees. Much job unhappiness is caused by failure of an employee to do more than is required. An employee who is only concerned with what ASD can do for him or her, not what he or she can do for ASD is undesirable. A person who generates enthusiasm soon finds plenty to be enthusiastic about. It is the Policy of ASD to reward the employee who focuses attention on the positive aspects of the job and contributes as much as he or she is capable of contributing. ASD tries to make its employees feel a vital part of ASD not mere servants or hired help working for a meal ticket.

5. An underlying attitude of primary importance is trust between employers and employees. Neither should be the exploiters nor the exploited. Both should work toward the mutual trust that their common goal is quality. This is truly basic ASD Policy.

GENERAL POLICY

1. The President of ASD, as of course, acting for the Trustees and the ASD Membership, has primary jurisdiction over all ASD's Headquarters Staff, both paid and unpaid.

2. All employees and staff, paid and unpaid, report to and are under the immediate jurisdiction of the Operations Manager.

3. The Operations Manager in collaboration with the President shall work up detailed "Job Descriptions", as needed, of the day to day work of all employees, including the Operations Manager.

4. Within the ASD Headquarters and staff personnel, any problems, complaints or suggestions by the staff shall be made to the Operations Manager initially.

a. If the staff member is dissatisfied with the results of that meeting, then the staff member is to communicate with the Personnel Committee for a review of the situation.
b. Once contacted, the members of the Personnel Committee shall examine the facts and discuss the issues. They shall render their recommendation, within no more than ten (10) business days after having been contacted, to the President.
c. The President shall then have the ultimate decision. This decision shall be communicated promptly to the staff member bringing the problem, complaint or suggestion to the attention of these individuals.

5. A monthly contribution by the Society, not to exceed Seventy five dollars ($75.00) per permanent employee, toward group medical insurance coverage, has been approved if the employee so elects to have the coverage. Any premium balance over Seventy-five dollars ($75.00) will be withheld from the employee's salary or wages and the total premium paid by ASD.

6. When on ASD business, employee owned vehicles will be reimbursed at the current IRS Rate for business miles.

7. All members of the staff shall be available to work during the Annual Convention time, without exception.

8. All members of the staff are to assist with answering the telephone.

9. Contract Employees, Temporary Employees, and Volunteer Workers will not be granted sick leave or annual leave.

WHAT THE EMPLOYEE CAN EXPECT FROM ASD

ASD will:

1. Operate an economically successful non-profit organization and business so that a consistent level of steady work is available.

2. Select people on the basis of skill, training, ability, attitude, and character without discrimination in regard to sex, color, race, creed, national origin, religious persuasion, marital status, political belief, or disability that does not prohibit performance of essential job functions.

3. Provide paid vacations and holidays to all eligible employees.

4. Pay all employees according to their effort and contribution to the growth and success of ASD.

5. Develop competent people who understand and meet our objectives, and who accept with open minds the ideas, suggestions and constructive criticisms of fellow employees.

6. Assure employees, after talking with the Operations Manager, an opportunity to discuss any problem with the Personnel Committee or Officers of ASD.

7. Make prompt and fair adjustments of any complaints which may arise in everyday conduct of our business, to the extent that it is practicable.

8. Respect individual rights and treat all employees with courtesy and consideration.

9. Maintain mutual respect in our working relationship.

10. Provide buildings and offices that are attractive, comfortable, orderly and safe.

11. Promote employees on the basis of their ability and merit.

12. Make promotions or fill vacancies from within ASD whenever possible.

13. Keep all employees informed of the progress of ASD as well as the Society's overall aims and objectives.

PERMANENT EMPLOYEES INFORMATION

1. Permanent Employees who have been in the employ of ASD for more than three (3) months, receive an average day's pay for legal holidays. Legal Holidays are:

New Years Day	January
Martin Luther King's Birthday	January
Presidents' Day	February
Memorial Day	May
Independence Day	July
Labor Day	September
Columbus Day	October
Veterans Day	November

Thanksgiving	November
Christmas	December

2. When a legal holiday falls on a Saturday, the holiday will be taken on Friday. If a legal holiday falls on a Sunday it will be taken on Monday.

3. All permanent employees shall be allowed one (1) day per month for illness, not to exceed a cumulative of twenty-four (24) days. Sick leave is only for the purpose of illness of the employee or their immediate family.

4. One (1) day per year with pay is allowed as a Personal Day.

5. After hiring, a permanent employee shall consider the first three (3) months a probationary period.

6. The first review of performance, duties, and wages will be made after the probationary period and annually thereafter by the Operations Manager or President who will notify the Personnel Committee.

7. Paid vacation may be taken after one (1) year of employment, not to exceed one (1) week for the first year. In subsequent years the permanent employee may take up to two (2) weeks paid vacation after three (3) years employment, three (3) weeks paid vacation after five (5) years employment, and four (4) weeks paid vacation after ten (10) years employment.

a. An employee may not accrue more than two (2) months vacation.
b. Vacation time will be prorated through the year.
c. Regular vacations should be requested two (2) weeks in advance.
d. Vacations will be taken with the approval of the Operations Manager after consideration of annual workload.

8. The hourly wage or salary of permanent employees is to be established within the limit imposed by the budget approved by the Board of Trustees, by the Operations Manager and the Personnel Committee. Overtime pay will be set as required by Vermont State and/or Federal Laws.

9. A permanent employee is allowed two (2) days Bereavement Pay for the death of immediate family.

*10. ASD shall offer a 403(b) Plan to all employees who have completed the three month probationary period. This plan is described by the following provisions and American Century's booklet, "Information About Our Tax-Deferred Retirement Plan".

a. ASD will offer this plan through American Century. Voluntary contributions may be made into an established account. These contributions are pre-tax contributions and will be withheld from the individuals paycheck upon completion of a 403(b) Salary Reduction Agreement. If the 403(b) option is selected, ASD will match the employee's voluntary contribution up to and including 2% of the individuals gross paycheck. The employer contribution shall be placed in a separate account. Monthly payments will be made to the two accounts (employee/employer) by ASD. The employee may choose from the funds offered by American Century. Each employee may have no more than two funds for voluntary contribution accounts established through this plan.

b. An ASD employee must be in the employ of ASD no less than five years from the date that the first payroll deduction is made to be eligible to receive the employer contribution portion of the plan. After five years have lapsed, the employee is considered "vested". If the employee leaves ASD before being vested, the employer account for this individual will be transferred to ASD's own organizational Mutual Fund account with American Century. If the employee dies before five years have lapsed, the entire employer contribution will be transferred to the employee's account. Employer approval will be required before any exemptions or transfers can be made from these accounts by the employee.

c. ASD shall provide each employee taking advantage of this plan with a copy of the American Century booklet "Information About Our Tax-Deferred Retirement Plan" of which pages 26-36 constitute the "Plan Document". ASD shall also provide each interested employee with a Plan Application and a 403(b) Salary Reduction Agreement. Fund prospectus information will be provided to each employee to assist with fund selection.

* Approved by Personnel Committee 1/20/98

11. Termination of permanent employment is at the discretion of either party. A minimum of two (2) weeks notice is requested upon a permanent employee's decision to leave the employment of ASD and two (2) weeks pay will be given upon termination by ASD.

12. Every effort will be made to retain permanent employees.

13. The Personnel Committee is to serve in the capacity of a Grievance Committee

AUTHORIZED EMPLOYEES
(may change as conditions require)

1. Four (4) permanent employees.
   - A. Operations Manager
   - B. Bookstore Manager
   - C. Assistant to Operations Manager/ Office Correspondent (ADO)
   - D. National Chapter Secretary/ Office Correspondent

2. Contract Service Employees

3. Temporary Employees

4. Volunteer Workers

**SALARIES AND WAGES

Director of Operations:	*	$23,020 through $33,090 per year
Bookstore Manager:	*	$9.00 through $14.07 per hour
Assistant to Director of Operations:	*	$7.61 through $10.87 per hour
National Chapter Secretary	*	$7.61 through $10.87 per hour

*Approved by Personnel Committee and Board 4/19/2000

TEMPORARY AND CONTRACT SERVICE EMPLOYEES

1. The Operations Manager may, within the limits imposed by the budget, the content of ASD's Employment Policy, and any administrative restraints, hire Temporary and/or Contract Service Employees to fill definite needs, and upon such terms as said OM deems most advantageous to ASD.

2. Temporary and/or Contract Service Employees may also be authorized by the Board of Trustees for particular projects and will receive compensation.

3. Temporary and/or Contract persons will not receive paid vacation or sick leave.

VOLUNTEER WORKERS

Volunteer Workers donate their time and services.

JOB DESCRIPTIONS

OPERATIONS MANAGER (OM)

1. The OM is in charge of day to day affairs of the Society and has the administrative responsibility for the management of ASD within the jurisdiction of an annual budget and policy established by the ASD Board of Trustees. The OM has general supervision over all ASD employees and the Headquarters physical plant.

2. In addition to the present nonspecific job description the OM shall be responsible for:

a. Gathering agenda items for Trustee and General Membership Meetings.

b. Preparing such agendas in a timely fashion.

c. Mailing the Notice and Agenda of Trustee Meetings and the Annual Membership Meeting within the time specified in the By-Laws.

d. Attending all Trustee Meetings.

e. Responsible for updating the ASD documents. When passed by the trustees they must be entered in PPM within 3 working days, posted on web site and copies sent out to trustees.

f. Place a copy of the minutes of each trustee meeting as provided by the secretary into the official ASD files. Motions to be highlighted by the Executive Secretary. If minutes are not provided, it is the OM's responsibility to make every effort to acquire the missing documents.

g. Mailing The American Dowser within seventy-two (72) hours of receipt from the printer.

h. The Operations Manager and staff shall prepare and keep current a Society Manual for the Board of Trustees that will serve to remind current and new Trustees of their responsibilities and duties. Some of the information contained in this manual should

include:

(1) The ASD Constitution and By-Laws.
(2) All financial Reports for the previous year.
(3) Minutes of all Trustee Meetings and the General Membership Meeting for the previous year
(4) Personnel policies
(5) An organizational chart of the Society.
(6) ASD staff members, titles and positions.
(7) Current Trustees, addresses, telephone numbers, and positions.
(8) Members and current chairpersons for Standing and Select Committees.
(9) Dates for trustee meetings and special events set at the Trustee Meeting after the General Membership Meeting.
(10) Current work schedule for the coming year.
(11) A brief history of ASD
(12) A brief description of each service provided by ASD...
(13) A detailed description of all program goals and objectives.
(14) Any other pertinent information for a trustee.

3. The OM, in collaboration with the President, shall work up detailed Job Descriptions, as needed, for the day-to-day work of all employees including the OM.

4. The OM shall be hired by the President of ASD with the advice and approval of the Trustees.

5. When a vacancy occurs in the post of OM, the President shall appoint an Ad Hoc Committee of three (3) ASD members (preferably Trustees) plus the resigning OM, if available, to aid the President in interviewing applicants for the position and arriving at a decision. The President shall present the final decision to the Trustees. This may be done by mail.

6. The OM is under the general oversight of the President, as chief executive officer of ASD, and in the absence of the President, the Executive Vice President exercises this general oversight. It should be understood that the OM is under the supervision of the President or Executive Vice President in the President's absence, not the General Membership or any other individual Trustee.

7. Whenever the OM needs assistance the OM shall contact the President of the Society, who will rely on the fellow Officers and Trustees, as necessary, in dealing with the problem.

8. Review by the Personnel Committee, under direction of the President, of job performance, job description, salary and benefits will be made annually with the initial review to occur three (3) months after hiring. A probationary period of three (3) months is understood to exist after initial hiring.

9. Notice of one (1) month is requested of the Operations Manager if the OM desires to leave the employment of ASD. If terminated by ASD one (1) months pay will be given.

BOOKSTORE MANAGER

1. The Bookstore Manager is in charge of the day-to-day operations of the ASD Bookstore within the jurisdiction of the policies and budget established by the ASD Board of Trustees and is

responsible directly to the Operations Manager.

2. The Bookstore Manager is responsible for insuring the profitable operation of the ASD Bookstore, while establishing and insuring complete customer satisfaction.

3. The Bookstore Manager is responsible for operation of the Bookstore from 9:30 a.m. to 5:30 p.m. five (5) days a week and having the ASD Bookstore open to the public from 10:00 a.m. - 5:00 p.m. Tuesday - Saturday or other hours as the Operations Manager dictates.

4. Responsibilities also include:

a. Providing outstanding interface with the public.
b. Timely processing of all orders received, both mail and in-store
c. Ordering books and merchandise.
d. Timely return of excess items.
e. Maintaining a "well stocked" inventory.
f. Providing biannual physical inventories in a timely manner.
g. Production of Bookstore catalogs.
h. Promotion of the Bookstore (i.e. sales, specials, advertisements, etc.).
i. Operating the computer and programs to provide:
(1) Daily, monthly and yearly accounting information.
(2) Point of sales and inventory data.
(3) Up-to-date book and merchandise listings.
(4) Monthly inventory information.
(5) Other information as required.
j. Maintaining a daily ledger with sales records, deposit spread sheets, bank deposits, and other related activity.
k. Paying all Bookstore expenses (wholesale costs, miscellaneous office expenses, etc.). To create a checks and balance, the signature of the Bookstore Manager as well as the Operations Manager is required on each check written.
l. To provide dowsing books and merchandise for the Annual Convention and managing their sale.
m. Procure supplies for conferences.
n. Keeping the Operations Manager fully informed of operational problems.
o. Other duties as assigned by the Operations Manager.

5. The Bookstore Manager must submit a written report to the Board of Trustees at each of their meetings and at other times as may be needed. These reports are to include pertinent financial information as well as current strategies of the Bookstore.

6. The Bookstore Manager receives wages set by the Personnel Board at the Operations Manager's recommendation and as dictated by the budget.

7. The Bookstore Manager shall offer:

a. The Beginner's Dowsing Kit with instruction book and dowsing devices (tools, instruments) to all new Members at a special reduced rate (by means of a coupon included with their Membership).
b. Single copies of the Dowser for sale.

8. In addition to the copy given to the ASD Library, the Bookstore Manager will send to the Editors a copy of every new dowsing book offered by the Bookstore (for review).

ASSISTANT TO OPERATIONS MANAGER (AOM)

1. The position of the Assistant to Operations Manager provides support and assistance to the OM in daily operations. This role will take on tasks which are assigned by the OM and mutually agreed upon to be done by the Assistant as well as perform limited duties of the OM when unavailable. Any other duties as assigned.

2. The AOM will be responsible for everything pertaining to membership. And therefore will also hold the title of Membership Secretary. This includes such duties as:

a. Processing renewal and new memberships.
b. Corresponding with members when applicable.
c. Preparing a dues Renewal mailing and insertion for the Digest.
d. Maintaining membership files.
e. Updating computerized Membership Lists.
f. Preparing List of New Members for the monthly mailings.

3. Other duties include:

a. Keeping the supply inventory up-to-date
b. Clerical work.
c. Maintaining a supply of informational material.
a. Helping with the mailings.

4. Most importantly the Assistant to Operations Manager should be readily to assist the OM in any situation and will take on tasks which are mutually agreed upon. Basically, the AOM shall be able to step in when the OM is unavailable.

NATIONAL CHAPTER SECRETARY

1. The National Chapter Secretary shall be responsible for correlation of all chapter materials. This includes such duties as:

a. Answering all correspondence pertaining to Chapters and potential Chapters.
b. Initiating and sharing suitable ideas and programs with Chapters through mailings.
c. Submitting all current chapter information to the editors of the American Dowser and Dowsers Network, including a column of news items concerning the Chapters and their members.
d. Copying all material for monthly mailings on 8 ½ x 11 inch paper.
e. Collation and posting of regular monthly mailings.
f. Preparation of National Chapter Secretary reports for Trustee Meetings, as scheduled.
g. Facilitation of ASD sponsored or other workshops after arrangements for use of facilities and financing have been worked out with the OM.
h. Presentation of new Chapter Charters to the Board of Trustees for approval.

2. Awards for outstanding Chapter and Outstanding Chapter Member are to be given by the National Chapter Secretary.

3. Attendance

a. The National Chapter Secretary is required to attend the Annual Convention.

b. The National Chapter Secretary is not required to attend any Trustee Meeting except when requested to do so by the President or the Board.

SHARED OFFICE DUTIES

1. Answering all basic inquiries and/or referring them to the appropriate member.
   a. Correspondence regarding dowsing techniques, dowsing applications and ethics.
   b. Requests for dowsing services with referrals to appropriate chapters, and individual Trustees and or Members.

2. Filing, updating, and preparing monthly Inquiries List.

3. Monthly Deceased Members List, recording members, and notifying appropriate Digest editor.

4. Acknowledging all donations received in writing.

5. Acknowledging, copying, filing, and forwarding to the editors all Digest material received and keeping the proper inventories.

6. Answering the telephone.

7. Helping with Mailings.

8. Making housing arrangements, as possible, during the convention.

9. Preparing information and other materials, researching ASD files for relevant material when necessary.

10. Maintaining a scrapbook and updating the library periodical/pamphlet file.

11. Until a Public Relations Officer is appointed, provide all dues data, and compile files and lists for this purpose. Such data includes a packet of information, general article reprints for press inquiries, and photocopies of previously published material when appropriate.

12. Annual Inventory.
   a. Physical plant - furniture, office equipment and other building contents.
   b. Audio Tapes
   c. Video Tapes
   d. Library

THE BOARD OF TRUSTEES

GENERAL

1. No Board of Trustees is like any other; but there is a common bond. A Board of Trustees has the responsibility of management and control of the affairs, business and property of the

2. The Board of Trustees should have in its make up individuals who have time and interest to be active in the workings of the organization.

3. The Board of Trustees, its strengths, involvement, and commitment is the most important determinant to the success of the organization.

4. All Board Members are responsible for interpreting the work of the Society, evaluating its program and services, and helping to provide adequate financing.

5. All decisions, Policies and Procedures made by the Board of Trustees cannot be altered by any person, and can only be altered by another voting Board of Trustees.

6. A face to face meeting if possible will be held between outgoing trustees and the newly elected trustees before the general membership meeting. This meeting will focus on the transition; what new trustees need to be made aware of, how certain duties are preformed and other knowledge learned through experience over the past four years. The outgoing trustees will be available to the new board over a three month period should they need advice on any matter they deem necessary.

RESPONSIBILITIES

1. It is the responsibility of the Board of Trustees to:

a. Trustees are expected to attend all Board Meetings. Unexcused absences of 3 or more are a violation of the Code of Ethics and will result in activation of the Ethics Committee and possible removal from the BOT

a. Define the purpose, goals, and scope of ASD.
b. Develop policies.
c. Assist the OM in establishing and maintaining a sound financial structure.
d. Broaden ASD community understanding and support.
e. See that the Society carries out its purpose and responsibilities.
f. Approve annual budgets for the Bookstore and Headquarters prior to the end of a fiscal year.
(1) The Treasurer shall assist the OM in preparing said budgets.
g. Plan for effective methods of communication between the Board, the administration and staff, and the Membership.
h. Insure staff stability through satisfactory working conditions and personnel policies.
i. Approve all Policy Statements.
j. Assess the quality of the service provided and its value to the Membership it serves.
k. Assess or evaluate the ASD Membership to determine additional needs.
l. Interpret the Society's service to the Membership.
m. Broaden public *and* community support and understanding of the Society and what it represents.
n. Evaluate options for fundraising and obtaining grants.

2. In order to discharge these responsibilities, it is necessary for the Board to uphold the Society's By-Laws as the basic structure for operation of ASD. This includes such duties as:

a. Providing for the selection and rotation of quality officers.

b. Determining eligibility requirements for membership.
c. Defining areas of jurisdiction for the board and staff.
d. Establishing the necessary committees

4. Trustee Reimbursement.

a. All trustees may apply for up to $500 per year for conferences travel expenses as long as funding is available.

b. The President shall be reimbursed for expenses up to Four Thousand Dollars ($4,000.00) per annum to attend ASD approved conferences as long as funding is available.

5. Recognition for service.

a. A retiring Trustee who has served one (4) terms or more will be recognized as Trustee Emeritus in the Membership Roster.

b. Past Presidents shall be granted a Lifetime Membership in ASD with full privileges.

6. There will be no Parliamentarian on the board.

SPECIFIC POLICY APPLYING TO THE BOARD OF TRUSTEES AND/OR HEADQUARTERS

1. Type and mail Amended Minutes (without addenda). Minutes should include the wording of By-Laws changes, exact wording of Policy & Procedure additions or modifications, the amount of approved monies for capital or unrestricted expense and what those monies are for. (8/19/93)

2. Decisions that have been made by the Board of Trustees, if they are altered (In other words, there is varying that decision.) for any reason, the Trustees get notified right away. Communications should also state the reason for the decision. (8/19/93)

3. Budget Caps are not to be exceeded without trustee approval. (8/19/93)

4. Make sure all forms request payment in US funds (8/19/93)

5. Expenditures approved by the Trustees shall not be exceeded except with approval by the whole Board, if time permits, or the executive Committee in an emergency. (8/19/93

ADVISORY GROUP

1. An Advisory Group as deemed necessary of the American Society of Dowsers Inc., consisting of all current and future past Trustees so long as they hold Regular or Honorary Membership in the American Society of Dowsers, has been created by the Board of Trustees with rules, regulations and guidelines compatible with the constitution and By-Laws of the American Society of Dowsers.

2. Such Advisory Group shall be deemed necessary and become activated by the President of the Society.

3. Guidelines for Former Trustee Advisory Group.

a. Membership in the group shall consist of all living, past Trustees no longer holding any official position in ASD, but still holding regular or honorary membership in ASD.
b. There will be no special class description within this group. However, the members thereof may elect a chairman and other officers as they desire by a majority vote of their members.
c. There shall be no limitation on the term of membership in the group so long as regular or honorary membership is maintained in ASD.
d. All members of the group will receive all notices of meetings of Trustees and agendas thereof, official reports such as Treasurer's, etc. and copies of minutes of all meetings, including regular Annual Membership Meetings.
e. Prior to meetings of Trustees or Membership Meetings the members of the Advisory Group may send commentary on agenda items to the President of ASD and/or suggestions for new business.
f. Members of the advisory Group may attend in person any and all meetings of Trustees and enter into discussion of Agenda items and/or may offer new items for discussion, time permitting, after all other business on the agenda has been disposed of, including New Business brought up by Trustees.

g. The President may call upon the Advisory Group for advice on any matter relative to the proper business of the Society.
h. Members of the Advisory Group shall have no vote in any ASD mattter except as votes are enjoyed by all regular Members of ASD.

REGIONAL COORDINATOR GUIDELINES

*1. Regional boundaries will be defined by the Executive Vice President.

2. Regional Coordinators shall:

a. Implement and follow through on all directives coming from the Officers and/or Board of Trustees.

b. Act as an intermediary between ASD Headquarters and the Chapters within respective Regional Boundaries.

c. Assist in the formation of new Chapters within Regional boundaries, and the smooth operation thereof. May include memos to chapters regarding current activities and the submission of financial condition to Headquarters.

d. Become available to new members, answer queries about ASD and uphold the dignity of the Society in all dowsing affairs.

e. Promote educational events (conferences, seminars, etc.) both on a local and regional basis.

f. Promote inter-chapter communications for the purpose of guidance to new Chapters and the enhancement of established ones.

g. Act as an arbitrator regarding conflicts of interest which may occur on a local or regional basis that are not in the best interests of the Society.

* Effective 4/20/96

THE AMERICAN DOWSER EDITORS (1988)

1. Your Journal.
The American Dowser, a 72 page quarterly journal, is sent to all members of the American Society of Dowsers world-wide, to various publishers and professional organizations in the United States, and to Forty-one foreign countries in 1988. The first issue, a two page bulletin, appeared in 1961. In 1984 it was cited as the best Special Interest Journal in the field of PSI out of 200 newsletters, periodicals, and journals reviewed by the Parapsychological Association of the American Association for the advancement of Science.

2. Your editors.
The Journal is edited by four non-paid volunteers, each of whom is responsible for one of the quarterly issues. The editor's task is to select and revise submissions, and to prepare them for publication for clarity, length and correct grammatical usage.

3. Your submissions.

a. Submissions of articles, letters, clippings, and photographs should be addressed to: Editor, American Society of Dowsers, Danville, VT 05828. They are sent by Headquarters to the editor responsible for the upcoming issue. Unused submissions are returned to Headquarters and are then

forwarded to the next editor. The choice of any one article depends on the other articles available, chosen to create a balanced issue or to enhance a Special Issue. What is suitable for one issue may not be suitable for another. An article may make the rounds of the editors for as many as two years.

b. A writer should always keep a copy of his or her submissions because manuscripts are not returned. Whenever possible submissions should be typewritten double spaced with wide margins. Scientific papers should include a brief summary in layman's terms, at the beginning of the article, and a short profile of the author.

c. After the editor assembles and edits an issue, and readies it for publication (which takes about two months) it is sent to the printer.

4. Your suggestions.

a. The editors welcome your suggestions and try to use them when practicable. One frequent request, for a Question and Answer section, is not practicable for a quarterly journal like ours because the time lapse between receiving a question and publishing an answer may be six months to a year. Questions are best referred to your local chapter. If the exchange is then of general interest, the question along with the answer may be submitted to the Quarterly as a short item or article.

b. Another frequent request is for Basic Instructions for Beginners and for How-to Articles. Actually, the Quarterly, old and new is a treasure trove of dowsing information and pointers and the editors will continue to look for good how-to articles for future issues. But obviously the Quarterly can't keep repeating the same instructions in issue after issue. Beginners are urged to read one of the basic dowsing books available through the ASD Bookstore, to look through old issues (a Digest Index is available at Book and supply for the years 1973 to 1978 and 1979 to 1983), and to get help from your local chapter and at regional conferences. An official Water Dowsers Manual, assembled by retired editor, Maria Perry, containing all articles on water dowsing published in previous issues of the Digest is available through Book and Supply.

GUIDELINES FOR EDITORIAL STAFF

1. The official publication of the American Society of Dowsers is "The American Dowser Quarterly Digest". This publication will be edited, printed, and in the hands of the membership by the following dates:

a. Winter Issue, second (2nd) week in February
b. Spring Issue, second (2nd) week in May
c. Summer Issue, second (2nd) week in August
d. Fall Issue, second (2nd) week in November

2. The editor of the ASD newsletter (The Dowsers Network) will abide by the following Policy, except, first choice of material will be given to the Digest editors.

3. Responsibilities.

a. ASD Headquarters Staff

(1) Receive, date, and log all incoming Digest or Network articles from members.
(2) Acknowledge receipt of articles via post card to member.
(3) On a weekly basis, forward all articles received to the current editor.
(4) Provide editors with post cards so they can acknowledge receipt of articles they receive direct from contributors.
(5) Place in the "editors' bag" recent copies of publications from organizations which ASD has reciprocal agreements with so editors will have an opportunity to reprint especially interesting articles. This "bag" will be passed from editor to editor except the editor of the

Fall Issue will send the "bag" to Headquarters where current editions of each publication will replace the old. Then it will be forwarded to the editor of the Winter Issue.

(6) Receive, date, and log all incoming Digest or Network paid or unpaid advertisements. These may be display or classified in nature and must have a relationship to Dowsers and their interests and/or Dowsing Activities. If available space is limited, preference will be given to ASD sanctioned/sponsored functions or activities such as Bookstore activities, conferences and conventions, etc. The Operations Manager shall judge the appropriateness of all advertisements. Headquarters Staff shall provide the editors with the ad copy to be used. Advertisement rates will be set by the Operations Manager with the approval of the Board of Trustees.

b. Editors

(1) Receive all material intended for publication in the Digest or Network from ASD Headquarters as well as from other sources.

(2) Acknowledge receipt of all material received from individual members via post card which has been provided by Headquarters.

(3) Editors who receive articles directly should send copies to Headquarters who will sequentially number articles that are sent.

(4) Determine which articles will be used for the issue in progress, place all other articles in the "Editors Bag" and forward it to the next editor in line or to Headquarters in the case of the editor of the Fall Issue.

(5) No article will be discarded regardless of subject, style, or clarity until all editors have had an opportunity to consider it for publication.
(6) Once an article has been deemed unsuitable for publication in the Digest or Network by all the editors, the last editor to review the article will notify the person who submitted the article that it is not acceptable.
(7) Each editor should strive to produce a well balanced issue, keeping in mind that the membership of ASD come from all walks of life with educational levels from school dropouts to college professors, and interests from basic dowsing to the most advanced metaphysical concepts.
(9) Controversies pertaining to book reviews or disagreements of any kind between members will not be published in the Digest or Network, nor, will personal political philosophies be editorialized.
(10) Unsigned "Letters to the Editor" which are critical of ASD or its Chapters or Members will not be published. These should be forwarded to Headquarters for consideration and action by the Operations Manager and/or Board of Trustees.
(11) The editors of the American Dowser and Dowsers Network are valued and appreciated for their expertise in producing a quality, informative publication on a timely basis. That is their responsibility and they do it well.
(12) Editors do not receive compensation but will receive reimbursement for out-of-pocket expenses.
(13) From time to time, the editors, as are others, may be asked to provide input for Policy decisions. However, the ultimate responsibility of formulating and implementing Policy rests with the President and the Board.
(14) It is everyone's responsibility to insure that the membership is served and that the organization continues to be a viable, growing, member-oriented Society.

SPECIFIC DIGEST AND NETWORK POLICY

1. A special subscription price for the American Dowser and Dowsers Network used by libraries adopted at Twenty-five Dollars ($25.00) per year.

2. The American Dowser is to include an Instruction Section.

3. Editors of Summer and Fall Digests and the Network are to routinely suggest purchase of Bookstore Gift Certificates and ASD Membership for holiday gift ideas.

4. The Digest and Network will be indexed yearly. Volunteers will be used when possible. Temporary help may be hired by the OM and paid out of unrestricted funds.

5. Chapter News will continue as part of the Digest and the Chapter Directory will appear in every other issue.

6. It is the responsibility of the Editors to have each new dowsing book from the Bookstore reviewed in a timely fashion for publication in the Digest or Network.

7. The Digest will publish once a year, the names of all the dowsers who have received the following awards:

*a. Register of Recognition
b. Dowser of the Year (Dowser's Prayer)

c. Paul Sevigny Award

*Revised 4/20/96

MISCELLANEOUS POLICY

ASD LIBRARY

Anyone can access the ASD library, only members can check out from library. Added Oct 5, 2007

VISA AND MASTERCARD

ASD will accept Visa and MasterCard for ASD services.

CONFLICT OF INTEREST

Article I: Purpose

This conflict of interest policy is designed to foster public confidence in the integrity of The American Society of Dowsers, Inc. (the "Organization") and to protect the Organization's interest when it is contemplating entering a transaction (defined below) that might benefit the private interest of a director, a corporate officer, the top management or top financial official, or a key employee (defined below).

Article II: Definitions

The following are considered *insiders* for the purposes of this policy:

1. Each member of the Board of Directors or other governing body.

2. The president, chief executive officer, chief operating officer, treasurer and chief financial officer, executive director, or any person with the responsibilities of any of these positions (whether or not the person is an officer of the Organization under the Organization's Bylaws and the Vermont Corporations Code).

3. Any *key employee*, meaning an employee whose total annual compensation (including benefits) from the organization and its affiliates is more than $50,000 **and** who (a) has responsibilities or influence over the organization similar to that of officers, directors, or trustees; **or** (b) manages a program that represents 10% or more of the activities, assets, income, or expenses of the organization; **or** (c) has or shares authority to control 10% or more of the organization's capital expenditures, operating budget, or compensation for employees.

Interest means any commitment, investment, relationship, obligation, or involvement, financial or otherwise, direct or indirect, that may influence a person's judgment, including receipt of compensation from the Organization, a sale, loan, or exchange transaction with the Organization.

A *conflict of interest* is present when, in the judgment of the Board of Directors, an insider's stake in the transaction is such that it reduces the likelihood that an insider's influence can be exercised impartially in the best interests of the Organization.

Transaction means any transaction, agreement, or arrangement between an insider and the Organization, or between the Organization and any third party where an insider has an interest in the transaction or any party to it. *Transaction* does not include compensation arrangements between the Organization and a director, officer, or other insider that are wholly addressed under the Organization's Compensation Policy.

Article III: Procedures

1. Duty to Disclose

Each insider shall disclose to the Board all material facts regarding his or her interest in the transaction, promptly upon learning of the proposed transaction.

2. Determining Whether a Conflict of Interest Exists

With regard to an insider, the Board shall determine if a conflict of interest exists. The insider(s) and any other interested person(s) involved with the transaction shall not be present during the Board's discussion or determination of whether a conflict of interest exists, except as provided in Article IV below.

3. Procedures for Addressing a Conflict of Interest

The Board shall follow the procedures set forth in Article IV in order to decide what measures are needed to protect the Organization's interests in light of the nature and seriousness of the conflict, to decide whether to enter into the transaction and, if so, to ensure that the terms of the transaction are appropriate.

Article IV: Review by the Board

The Board may ask questions of and receive presentation(s) from the insider(s) and any other interested person(s), but shall deliberate and vote on the transaction in their absence. The Board shall ascertain that all material facts regarding the transaction and the insider's conflict of interest have been disclosed to the Board and shall compile appropriate data, such as comparability studies, to determine fair market value for the transaction.

After exercising due diligence, which may include investigating alternatives that present no conflict, the Board shall determine whether the transaction is in the Organization's best interest, for its own benefit, and whether it is fair and reasonable to the Organization; the majority of disinterested members of the Board then in office may approve the transaction.

Article V: Records of Proceedings

The minutes of any meeting of the Board pursuant to this policy shall contain the name of each insider who disclosed or was otherwise determined to have an interest in a transaction; the nature of the interest and whether it was determined to constitute a conflict of interest; any alternative transactions

considered; the members of the Board who were present during the deliberations on the transaction, those who voted on it, and to what extent interested persons were excluded from the deliberations; any comparability data or other information obtained and relied upon by the Board and how the information was obtained; and the result of the vote, including, if applicable, the terms of the transaction that was approved and the date it was approved.

Article VI: Annual Disclosure and Compliance Statements

Each director, each corporate officer, the top management official, the top financial official, and each key employee of the Organization, shall annually sign a statement on the form attached, that:

A. affirms that the person has received a copy of this conflict of interest policy, has read and understood the policy, and has agreed to comply with the policy; and

B. discloses the person's financial interests and family relationships that could give rise to conflicts of interest.

Article VII: Violations

If the Board has reasonable cause to believe that an insider of the Organization has failed to disclose actual or possible conflicts of interest, including those arising from a transaction with a related interested person, it shall inform such insider of the basis for this belief and afford the insider an opportunity to explain the alleged failure to disclose. If, after hearing the insider's response and making further investigation as warranted by the circumstances, the Board determines that the insider has failed to disclose an actual or possible conflict of interest, the Board shall take appropriate disciplinary and corrective action.

Article VIII: Annual Reviews

To ensure that the Organization operates in a manner consistent with its status as an organization exempt from federal income tax, the Board shall authorize and oversee an annual review of the administration of this conflict of interest policy. The review may be written or oral. The review shall consider the level of compliance with the policy, the continuing suitability of the policy, and whether the policy should be modified and improved. *Approved December 17th 2013

Whistleblower Protection Policy

A. Application. This Whistleblower Protection Policy applies to all of the Organization's staff, whether full-time, part-time, or temporary employees, to all volunteers, to all who provide contract services, and to all officers and directors, each of whom shall be entitled to protection.

B. Reporting Credible Information. A protected person shall be encouraged to report information relating to illegal practices or violations of policies of the Organization (a "Violation") that such person in good faith has reasonable cause to believe is credible. Information shall be reported to the President (the "Compliance Officer"), unless the report relates to the Compliance Officer, in which case the report shall be made to the Executive Committee which shall be responsible to provide an alternative procedure.

Anyone reporting a Violation must act in good faith, and have reasonable grounds for believing that the information shared in the report indicates that a Violation has occurred.

C. Investigating Information. The Compliance Officer shall promptly investigate each such report and prepare a written report to the Board of Directors. In connection with such investigation all persons entitled to protection shall provide the Compliance Officer with credible information. All actions of the Compliance Officer in receiving and investigating the report and additional information shall endeavor to protect the confidentiality of all persons entitled to protection.

D. Confidentiality

The Organization encourages anyone reporting a Violation to identify himself or herself when making a report in order to facilitate the investigation of the Violation. However, reports may be submitted anonymously by filling out a "Whistleblower Reporting Form" and mailing it to The Compliance Officer. Reports of Violations or suspected Violations will be kept confidential to the extent possible, with the understanding that confidentiality may not be maintained where identification is required by law or in order to enable the Organization or law enforcement to conduct an adequate investigation.

E. Protection from Retaliation. No person entitled to protection shall be subjected to retaliation, intimidation, harassment, or other adverse action for reporting information in accordance with this Policy. Any person entitled to protection who believes that he or she is the subject of any form of retaliation for such participation should immediately report the same as a violation of and in accordance with this Policy.

Any individual within the Organization who retaliates against another individual who has reported a Violation in good faith or who, in good faith, has cooperated in the investigation of a Violation is subject to discipline, including termination of employment or volunteer status.

F. Dissemination and Implementation of Policy. This Policy shall be disseminated in writing to all affected constituencies. The Organization shall adopt procedures for implementation of this Policy, which may include:

(1) documenting reported Violations;
(2) working with legal counsel to decide whether the reported Violation requires review by the Compliance Officer or should be directed to another person or department;
(3) keeping the board of directors [and the audit committee or other applicable committee] informed of the progress of the investigation;
(4) interviewing employees;
(5) requesting and reviewing relevant documents, and/or requesting that an auditor or counsel investigate the complaint; and
(6) preparing a written record of the reported violation and its disposition, to be retained for a specified period of time.

The procedures for implementation of this Policy shall include a process for communicating with a complainant about the status of the complaint, to the extent that the complainant's identity is disclosed, and to the extent consistent with any privacy or confidentiality limitations. *Approved December 17th 2013

DOCUMENT DESTRUCTION AND RETENTION

1. Policy and Purposes

This Policy represents the policy of The American Society of Dowsers, Inc. (the "organization") with respect to the retention and destruction of documents and other records, both in hard copy and electronic media (which may merely be referred to as "documents" in this Policy). Purposes of the Policy include (a)

retention and maintenance of documents necessary for the proper functioning of the organization as well as to comply with applicable legal requirements; (b) destruction of documents which no longer need to be retained; and (c) guidance for the Board of Directors, officers, staff and other constituencies with respect to their responsibilities concerning document retention and destruction. Notwithstanding the foregoing, the organization reserves the right to revise or revoke this Policy at any time.

2. Administration

2.1 Responsibilities of the Administrator. The organization's Operations Manager shall be the administrator ("Administrator") in charge of the administration of this Policy. The Administrator's responsibilities shall include supervising and coordinating the retention and destruction of documents pursuant to this Policy and particularly the Document Retention Schedule included below. The Administrator shall also be responsible for documenting the actions taken to maintain and/or destroy organization documents and retaining such documentation. The Administrator may also modify the Document Retention Schedule from time to time as necessary to comply with law and/or to include additional or revised document categories as may be appropriate to reflect organizational policies and procedures. The Administrator is also authorized to periodically review this Policy and Policy compliance with legal counsel and to report to the Board of Directors as to compliance. The Administrator may also appoint one or more assistants to assist in carrying out the Administrator's responsibilities, with the Administrator, however, retaining ultimate responsibility for administration of this Policy.

2.2 Responsibilities of Constituencies. This Policy also relates to the responsibilities of board members, staff, volunteers and outsiders with respect to maintaining and documenting the storage and destruction of the organization's documents. The Administrator shall report to the Board of Directors (the board members acting as a body), which maintains the ultimate direction of management. The organization's staff shall be familiar with this Policy, shall act in accordance therewith, and shall assist the Administrator, as requested, in implementing it. The responsibility of volunteers with respect to this Policy shall be to produce specifically identified documents upon request of management, if the volunteer still retains such documents. In that regard, after each project in which a volunteer has been involved, or each term which the volunteer has served, it shall be the responsibility of the Administrator to confirm whatever types of documents the volunteer retained and to request any such documents which the Administrator feels will be necessary for retention by the organization (not by the volunteer). Outsiders may include vendors or other service providers. Depending upon the sensitivity of the documents involved with the particular outsider relationship, the organization, through the Administrator, shall share this Policy with the outsider, requesting compliance. In particular instances, the Administrator may require that the contract with the outsider specify the particular responsibilities of the outsider with respect to this Policy.

3. Suspension of Document Destruction; Compliance. The organization becomes subject to a duty to preserve (or halt the destruction of) documents once litigation, an audit or a government investigation is reasonably anticipated. Further, federal law imposes criminal liability (with fines and/or imprisonment for not more than 20 years) upon whomever "knowingly alters, destroys, mutilates, conceals, covers up, falsifies, or makes a false entry in any record, document, or tangible object with the intent to impede, obstruct, or influence the investigation or proper administration of any matter within the jurisdiction of any department or agency of the United States … or in relation to or contemplation of any such matter or case." Therefore, if the Administrator becomes aware that litigation, a governmental audit or a government investigation has been instituted, or is reasonably anticipated or contemplated, the Administrator shall immediately order a halt to all document destruction under this Policy, communicating the order to all affected constituencies in writing. The Administrator may thereafter amend or rescind the order only after conferring with legal counsel. If any board member or staff member becomes aware that litigation, a governmental audit or a government investigation has been instituted, or is reasonably anticipated or

contemplated, with respect to the organization, and they are not sure whether the Administrator is aware of it, they shall make the Administrator aware of it. Failure to comply with this Policy, including, particularly, disobeying any destruction halt order, could result in possible civil or criminal sanctions. In addition, for staff, it could lead to disciplinary action including possible termination.

4. Electronic Documents; Document Integrity. Documents in electronic format shall be maintained just as hard copy or paper documents are, in accordance with the Document Retention Schedule. Due to the fact that the integrity of electronic documents, whether with respect to the ease of alteration or deletion, or otherwise, may come into question, the Administrator shall attempt to establish standards for document integrity, including guidelines for handling electronic files, backup procedures, archiving of documents, and regular checkups of the reliability of the system; provided, that such standards shall only be implemented to the extent that they are reasonably attainable considering the resources and other priorities of the organization.

5. Privacy. It shall be the responsibility of the Administrator, after consultation with counsel, to determine how privacy laws will apply to the organization's documents from and with respect to employees and other constituencies; to establish reasonable procedures for compliance with such privacy laws; and to allow for their audit and review on a regular basis.

6. Emergency Planning. Documents shall be stored in a safe and accessible manner. Documents which are necessary for the continued operation of the organization in the case of an emergency shall be regularly duplicated or backed up and maintained in an off-site location. The Administrator shall develop reasonable procedures for document retention in the case of an emergency.

7. Document Creation and Generation. The Administrator shall discuss with staff the ways in which documents are created or generated. With respect to each employee or organizational function, the Administrator shall attempt to determine whether documents are created which can be easily segregated from others, so that, when it comes time to destroy (or retain) those documents, they can be easily culled from the others for disposition. For example, on an employee-by-employee basis, are e-mails and other documents of a significantly non-sensitive nature so that they might be deleted, even in the face of a litigation hold with respect to other, more sensitive, documents? This dialogue may help in achieving a major purpose of the Policy -- to conserve resources -- by identifying document streams in a way that will allow the Policy to routinely provide for destruction of documents. Ideally, the organization will create and archive documents in a way that can readily identify and destroy documents with similar expirations.

8. Document Retention Schedule.

Document Type	Retention Period
Accounting and Finance	
Accounts Payable	7 years
Accounts Receivable	7 years
Annual Financial Statements and Audit Reports	Permanent
Bank Statements, Reconciliations & Deposit Slips	7 years
Canceled Checks – routine	7 years
Canceled Checks – special, such as loan repayment	Permanent
Credit Card Receipts	3 years
Employee/Business Expense Reports/Documents	7 years
General Ledger	Permanent

Interim Financial Statements	7 years

Contributions/Gifts/Grants

Contribution Records	Permanent
Documents Evidencing Terms of Gifts	Permanent
Grant Records	7 yrs after end of grant period

Corporate and Exemption

Articles of Incorporation and Amendments	Permanent
Bylaws and Amendments	Permanent
Minute Books, including Board & Committee Minutes	Permanent
Annual Reports to Attorney General & Secretary of State	Permanent
Other Corporate Filings	Permanent
IRS Exemption Application (Form 1023 or 1024)	Permanent
IRS Exemption Determination Letter	Permanent
State Exemption Application (if applicable)	Permanent
State Exemption Determination Letter (if applicable)	Permanent
Licenses and Permits	Permanent
Employer Identification (EIN) Designation	Permanent

Correspondence and Internal Memoranda

Hard copy correspondence and internal memoranda relating to a particular document otherwise addressed in this Schedule should be retained for the same period as the document to which they relate.

Hard copy correspondence and internal memoranda relating to routine matters with no lasting significance	Two years
Correspondence and internal memoranda important to the organization or having lasting significance	Permanent, subject to review

Electronic Mail (E-mail) to or from the organization

Electronic mail (e-mails) relating to a particular document otherwise addressed in this Schedule should be retained for the same period as the document to which they relate, but may be retained in hard copy form with the document to which they relate.

E-mails considered important to the organization or of lasting significance should be printed and stored in a central repository .	Permanent, subject to review
E-mails not included in either of the above categories	12 months

Electronically Stored Documents

Electronically stored documents (e.g., in pdf, text or other electronic format) comprising or relating to a particular document otherwise addressed in this Schedule should be retained for the same period as the document which they comprise or to which they relate, but may be retained in hard copy form (unless the electronic aspect is of significance).

Electronically stored documents considered important to the organization or of lasting significance should be printed and stored in a central repository (unless

the electronic aspect is of significance).	Permanent, subject to review
Electronically stored documents not included in either of the above categories	Two years
Employment, Personnel and Pension	
Personnel Records	10 yrs after employment ends
Employee contracts	10 yrs after termination
Retirement and pension records	Permanent
Insurance	
Property, D&O, Workers' Compensation and General Liability Insurance Policies	Permanent
Insurance Claims Records	Permanent
Legal and Contracts	
Contracts, related correspondence and other supporting documentation	10 yrs after termination
Legal correspondence	Permanent
Management and Miscellaneous	
Strategic Plans	7 years after expiration
Disaster Recovery Plan	7 years after replacement
Policies and Procedures Manual	Current version with revision history
Property – Real, Personal and Intellectual	
Property deeds and purchase/sale agreements	Permanent
Property Tax	Permanent
Real Property Leases	Permanent
Personal Property Leases	10 years after termination
Trademarks, Copyrights and Patents	Permanent
Tax	
Tax exemption documents & correspondence	Permanent
IRS Rulings	Permanent
Annual information returns – federal & state	Permanent
Tax returns	Permanent

*Approved December 17th 2013

NEW MEMBERSHIPS AND RENEWALS

1. Each new member will receive a personalized form letter of welcome from the President with a brief history of the Society and it's goals, etc. mailed with the Membership Card.

2. Each new member should have the opportunity to purchase the Dowser Starter Kit at cost (the four basic

instruments and instruction manual).

3. The month new members join ASD will become their anniversary date. Dues will be due one full year from that date. The anniversary month will be indicated on their membership card.

4. The first (1st) renewal reminder will be sent approximately one month prior to the member's anniversary month. A second (2nd) reminder will be mailed the month following their anniversary date. If dues are not paid at that time, prior to their name being removed from the file, an attrition survey will be sent to them.

5. Deleted Oct 5, 2007

6. A count of memberships each year from June 1st thru May 31st. The count will begin with the total number of life memberships at the June 1st date. This is necessary to continue to track an increase or decline in memberships.

CHAPTERS

1. Local chapters need IRS Non-profit Tax Exempt Number 036010613.

*3. Any funds received by ASD Headquarters from any inactive chapter, et al., as stated in the Constitution and By-Laws, Chapter VII, Section 5, Paragraph (a) of this Society directed by the Board of Trustees. In no event shall said funds be held for more than five years for said chapter. In the event the above chapter, et at., becomes reactivated, then above funds shall be returned to that chapter (less interest) upon written notification to ASD Headquarters of chapter reactivation and a written request by chapter officer/chair/leader for return of said chapter funds. - *Approved 8/2/99

*CHAPTERS AND/OR REGIONAL SUBDIVISIONS

1. The executive powers of the Trustees shall include the authority to create regional divisions or branches and local Chapters of this Society, which subdivisions shall be subordinate to this Society and subject to its Articles of Association, Preamble and By-Laws. Each individual Member of such subdivisions shall be a Member of this Society subject to all if its rules, regulations, and enactments. Each Chapter in a division or branch shall be a Chapter duly authorized by this Society. Only ASD national members can hold office or vote at the chapter level.

2. Formation.

(a) Eight (8) or more Members of this Society residing within a limited, designated area, may petition the Trustees limited, designated area, may petition the Trustees of this Society for a dispensation to organize a local Chapter. Three (3) duly organized Chapters within a limited, designated region, may petition the Trustees for a dispensation to establish a district or regional division or branch.

(b) The disposition made of such petitions shall always carefully consider the merits of each petition from the point of view of advancing the best interests of this Society as a whole.

(c) In the event any such petition shall be denied by the Trustees and the petitioners are dissatisfied with the action of the Trustees, said petitioners may, upon written notice to all Members, present their petition to a regular General Meeting of the Members of this Society for final disposition and

at such meeting a two-thirds (2/3) vote of all Members present and voting shall be required to override the action of the Trustees.

(d) Charter Approval – Name Change – The Board of Trustees shall be notified in writing of any proposed change in name and/or the Board shall approve or disapprove the proposed change(s). If approved, a new Charter for that Chapter will be issued, thereby negating that Chapter's former charter.

(e) Charter Approval - Newly Merged – If two or more chapters choose to merge they shall apply to the Board of Trustees to be chartered as a new chapter. The old chapters shall then be considered dissolved under their existing charters.

3. All Members of this Society residing within the territory of any subdivision thereof shall be eligible to Membership in that subdivision and no person shall be admitted to Membership in any subdivision until after his admission into this Society in the manner provided by its By-Laws, nor until the individual has paid the fees, dues, subscriptions and other financial obligations fixed by this Society. Any Member suspended or expelled, or in any other way losing Membership in this Society, shall thereupon cease to be a Member of any subdivision. (Note: non-members are classified as guests)

4. Each duly organized subdivision of this Society may make such By-Laws, rules and regulations for its own government as do not conflict with the Articles of Association, Preamble, and By-Laws of this Society or with its policies.

5. Finance

(a) Funds received by any division, Chapter, branch or subdivision of this Society shall not accrue to the benefit of any individual Officer or Member thereof and in the event of the dissolution of any division, Chapter, branch or subdivision of this Society all funds in its hands shall promptly be transferred to the Headquarters of this Society after payment of its just debts.

(b) Chapter Funds. Chapters choosing to merge to form a new chapter shall keep any existing funds respectively separate until charter approval (by the Board of Trustees) of the newly merged chapter, and/or forward their funds to ASD in accordance with the Constitution and By-Laws of ASD, Chapter VII, Section 5, paragraph (a).

(c) Each, Chapter, shall, on the last day of the Calendar Year, submit to the President and Treasurer an Annual Report

6. As soon as they are substantial enough to do so, Chapters are advised to give serious consideration to Incorporation in the state of their domicile, as non-profit, educational and scientific institutions, and to apply to the Tax or Revenue Board of their state treasury department for fully tax exempt status, meaning that dues and contributions to them shall be tax deductible and the Chapters themselves shall be exempt from State taxes. Before filing their Articles of Incorporation in their home states, Chapters shall submit same to Headquarters of this Society for approval by Society Counsel and a committee of Trustees.

7. Chapters and Divisions are created:

(a) for the benefit, use, and convenience of the Members of this Society, and

(b) for the promotion of the purposes, objectives, policies and ideals of this Society.

The Application for Chapter Charter shall include Chapter I through Chapter VII of the ASD By-Laws (as provided above) as well as the following information:

Petition To The Board of Trustees of *The American Society of Dowsers, Inc.*

The undersigned members in good standing of *The American Society of Dowsers, Inc*.

residing in the State(s) of , USA, respectively petition and apply for the privilege of informally organizing a local action group for the promotion of Dowsing under the auspices of The American Society of Dowsers, Inc., to be known as a CHAPTER of said Society, all in pursuance and in accordance with the By-Laws of said Society. It is proposed:

1. That the base of operations of the Chapter shall be located within: (area)

2. That the name of this Chapter be:

3. That the membership in this Chapter be limited to members in good standing of The American Society of Dowsers, Inc., who may desire to be affiliated therewith.

4. That special emphasis shall be placed on enlarging the membership and influence of The American Society of Dowsers, Inc. , and furthering the aims of the said Society.

5. That the territory of this Chapter be non-exclusive, placing no restrictions or limitations on the formation of other Chapters of the said Society within this territory.

The signers of this petition and applications pledge they will effectively organize and conduct a Chapter of The American Society of Dowsers, Inc. Judiciously subserve the policies, purposes and ideals of said Society, and not otherwise.

Following are the signatures, names and addresses of the Charter Members of the proposed Chapter: (eight signatures required)

Dated at , the day of 20

Initial Contact Person:

Please print name and address: (Signature on second line) (total: eight signatures)

1. _____
_____
2. _____
_____

* Added to manual by Board, 8/2/99

8. Sample of the Chapter Annual Report to be filled out and sent to ASD Headquarters by January 31st of the following year.

CHAPTER ANNUAL REPORT

This statement is required by Chapter VII, Section 5c, of the By-Laws of THE AMERICAN SOCIETY OF DOWSERS, INC

CHAPTER NAME_____
PRESIDENT
Name_____
Address _____

City_____ State____ Zip_____
Phone_____ E-mail _____

VICE PRESIDENT
Name_____
Address _____
City_____ State ____ Zip_____
Phone_____ E-mail _____

TREASURER
Name_____
Address _____
City _____ State ____ Zip _____
Phone_____ E-mail _____

SECRETARY
Name_____
Address_____
City _____ State ____ Zip _____
Phone_____ E-mail _____

CONTACT PERSON
Name_____
Address _____
City_____State_____Zip _____
Phone_____E-mail _____

PERTINENT INFORMATION
IRS Non-profit Tax Exempt # _____
Meeting place
Name_____
Address _____
City_____ State ____ Zip _____
Officers: How many years an ASD member. P_____ VP_____ S_____T_____
Number of members_____
Number of guests_____
Frequency of meetings: monthly_____ bi-monthly_____ other_____
Fee structure: for members_____guests_____
Do your meetings generally consist of: speaker_____ dowsing activities_____ videos or dvds_____other_____
Do you pay your speakers? _____ how much? _____ by donation? _____
Do you actively pursue membership, guests? _____
Do you advertise your meetings? _____ radio_____ newspaper_____ e-mail_____ snail Mail_____other_____
Do you have or sponsor any events other than your meetings? _____
_____
Do you rent your meeting place? _____ how much? _____
Do you have your own logo?_____
Do you sell chapter T-shirts, bumper stickers, etc? _____
Do you sell dowsing tools? _____ kits? _____
Do you maintain a chapter library for your members? _____
Is your chapter located in an urban community? _____ rural area? _____ population of nearest town or city_____

VOLUNTEER HOURS _____
Volunteer hours are defined as any time used to plan meetings or other chapter work related activities.

FINANCIAL INFORMATION
ASD can in no way access chapter funds. The information is necessary for office use only and is required by Federal law. If this information is not given, ASD could lose our tax exempt status.

STATEMENT OF CONDITION

ASSETS
Cash in checking account……$_____
Cash in savings account……..$_____
Cash in petty cash fund……...$_____
Approximate value of office supplies……..$_____
Other (please specify)……..$_____
TOTAL ASSETS……...**$_____**
Debts owed……..$_____
Other bills (please specify)……..$_____
TOTAL LIABILITIES……**$_____**
NET WORTH (assets minus liabilities)……**$_____*** Approved to be added January 25th 2014

ASD Monies

1. ASD shall use a "double entry" bookkeeping system according to presently accepted accounting practices.

2. Two signatures (Operations Manager and authorized ASD office staff member) are required on all HQ account checks. Book Store account checks will require the signatures of the Operations Manager and the Book Store Manager. All checks written in an amount over seven hundred dollars ($700.00) require the signature of the Treasurer in addition to the Operations Manager's signature (for HQ account checks) and the Treasurer's signature in addition to the signature of the Operations Manager or Book Store Manager (for book store account checks). In unusual cases involving "time constraints" and deadlines that makes mailing checks to the Treasurer for his/her signature inconvenient, the Operations Manager may request special approval by phone from the Treasurer for the second signature on a check over $700.00 to be that of the authorized office staff member or Book Store Manager (depending on which account the check is drawn from) rather than that of the Treasurer. In this case, this approval is to be followed-up with written proof of the check and receipt being mailed to the Treasurer by the Operations Manager.

3. All non-allocated contributions (unspecified funds) shall be deposited into the ASD general funds.

4. Any individuals including Chairpersons and/or Advisors seeking monies from the ASD Treasury shall do so in writing, setting for purpose for which the funds are to be used and the amount of monies sought. If this request is for something other than a budget item, a written proposal shall then be voted on by the Board of Trustees, and, if approved, the funds will be made available.

5. All persons required to handle funds and to sign checks shall be bonded through ASD's insurance coverage.

Specialty List

1) A "Register of Dowsing Specialists" shall be established for Dowsers verified in the following categories:

Water
Personal Well Being
Lost
Ancient Wisdom/Spirituality
Earth Energies

2) Members of the American Society of Dowsers may apply to be listed on one or more of the Specialty Lists by submitting three references to the Specialty List Committee attesting to their success in each of the categories they would like to be listed in.

4) The Specialty Lists shall be used exclusively by ASD for all requested referrals.

COMMITTEES

* A committee is a group of one or more persons elected or appointed to consider or take action on a specific matter.

COMMITTEE TYPES

1. Standing Committee. Created by a specific provision in the By-laws or through adoption of a motion or resolution and responsible for a certain field or department or work which requires continuous service. The committee remains in existence permanently or for the life of the assembly which establishes it.

2. Special, Select or ad hoc Committee. Created to serve a particular purpose. It may be created to investigate a matter and report the facts, to prepare recommendations and resolutions to carry out the recommendations, or carry out an order of the assembly. The committee is temporary and automatically goes out of existence when its work is done and its report has been given.

3. Committee of the whole. Device by which the entire assembly can debate a main motion or amendment as often and as many times as they can obtain the floor.

RECOMMENDED SIZE

1. Size should be determined by the task. In some cases it is possible or better to have one person rather than a committee to represent an area of standing. A committee for action should be small and have only members who favor the undertaking. A committee appointed to investigate the merits of a proposal often needs to be larger and should include representatives of various points of view.

2. Size is usually an uneven number to simplify establishing the presence of a quorum and avoiding much

of the possibility of indecisive (tie) votes.

MEMBERS

1. Members are selected as provided in the By-Laws.

2. The President is an ex-officio member of all committees without vote.

3. The Executive Vice President may not represent a President in an ex-officio role as a committee member.

4. The maker of the motion to commit is often included among those appointed, particularly when that individual seems well informed about the matter with which the committee is concerned.

CHAIRPERSON

1. Selection.

a. When a committee is appointed by the president the chairperson will be the first person named.

* Approved 4/20/96

b. When committee members are selected by a body other than the chair, that body has the right to designate a chairperson.

c. If no member is so named, the committee has the right to elect its own chairperson. In order to carry out this responsibility, the first-named member or the one receiving the highest member of votes calls the committee together and serves as temporary chairperson until the committee can choose its own chairperson.

2. Duties.

a. To see that all committee members, including the ex-officio members, are notified of the date, time, and place of every meeting.

b. To familiarize members with their exact duties and help them obtain information needed to accomplish the committee's purpose.

c. To plan committee meeting, open them on time, and conduct them in a businesslike but informal manner.

d. The chairperson is usually responsible for preparing and presenting the committee report.

MEETINGS

1. If the chairperson neglects to call a meeting, any two members have the right to do so provided all members, including the ex-officio members are notified.

2. Unless the committee has agreed to some other arrangement, the chairperson or any two members may then call additional meetings.

3. A quorum, which is a majority of members of the committee, unless specified otherwise in the By-Laws or by the membership, must be present for all meetings.

4. Meetings are informal.

a. Every member is expected to participate, including the chairperson.

b. Motions need not be seconded.

c. Motions to limit or close debate are not allowed.

5. Any time after a matter has been settled but before the committee's final report is presented, a committee decision can readily be reconsidered, Provided a member who did not vote with the losing side (including absentees and those who did not vote) moves to reconsider the committee vote.

a. A two-thirds vote (2/3) is required for reconsideration unless all who originally voted on the winning side are present or have been notified that the reconsideration will be moved in which case only a majority vote is required.

b. There is no limit to the number of times a question can be reconsidered.

ATTENDANCE

1. Only members of a committee have the right to attend its meetings.

2. Others who request permission to express their views should be allowed an opportunity to be heard.

3. Also, knowledgeable members should be invited to bring needed information and advice.

4. All such visitors are expected to depart before the committee begins its deliberations and takes action.

RECORDS

A committee is not required to keep minutes of its meetings. The chairperson or elected Recorder should take notes, however, to enable the committee to continue its work in the next meeting and also to help in preparation of its report.

COMMITTEE REPORTS

1. Every committee, even one authorized by the membership to act in its name, must report to the body which created it.

a. The committee is not an entity unto itself.

b. Roberts Rules of Order Newly Revised (page 417) defines a report as 'an official statement, formally adopted within the reporting body, informing the assembly of action taken or recommended, or information obtained'.

2. The report can, ordinarily , contain only that information which is approved by a majority vote at a properly called meeting and at which a quorum is present.

a. However, if holding a meeting is completely impractical, the committee can report information and resolutions which have been agreed to by every member of the committee.

b. Also, if traveling distance is a problem and the committee was appointed with the expectation that its work would be done by correspondence, its report must be limited to what has been agreed to by a majority of its members.

3. A report may be signed by the chairperson with authorization from the committee or by all members who are in agreement with its contents. When signed by the chairperson alone, he must add Chairperson after his or her name.

4. The minority of any committee who do not agree with the report can prepare a separate report and request permission to present it.

a. Such presentation may or may not be heard and requires a majority vote.

b. The report is for information only. no action can be taken unless a motion is made to substitute it for the report of the committee.

ANNUAL REPORTS

1. Annual reports have a twofold purpose:
   a. to summarize, for present members, what the organization has accomplished during an administration; and
   b. to record, for future members, what has gone on in the past.

2. Reports and related Procedure are indispensable as aids in assuring a smooth flow of continuing activity from one administration to the next. In an efficiently operated, Society, these are prepared by every officer and standing committee chairperson.

3. A good annual report is:
   a. brief, clear, complete, selective; including only significant details, yet recording all relevant; organized; presented by topics, following a pattern of paragraphs arranged in terms of responsibilities, related to activities, etc; or
   b. summarized in terms of a month by month calendar of responsibilities and related activities within each time period.

4. A report which is to be published should be printed exactly as it was presented, unless changes have been made by the membership in which case the printed copy should clearly indicate what the changes are.

FILES

Copies of the final or annual report, Policy and Procedure guidelines, or anything else that would be considered the 'history' of a committee should be filled and available at ASD Headquarters.

RECOMMENDED STANDING COMMITTEES

1. PERSONNEL COMMITTEE
   * a. Shall include the President, Executive Vice President, Secretary, Treasurer and other persons at Presidential discretion, in cooperation with the OM.
   b. Duties usually include:
      (1) Preparation of personnel practices and staff job descriptions.
      (2) Establishment of salary ranges and qualifications for staff positions.
      (3) Review of these policies and practices annually.
      (4) Making recommendations to the Board of Trustees for changes in (1), (2) or (3) above.
      (5) Making salary adjustments. ** Consideration is to be made yearly to adjust salaries in accordance with the Consumer Price Index (CPI) in consideration of personal performance.
      ***(6) Providing the Operations Manager yearly evaluation by November or as soon thereafter as the CPI is published.
      (7) Acting as the arbitrator in personnel disputes.

** The above duties (1-5) to be performed on or before the day of the Annual Meeting.

* Approved at Board Meeting, 4/8/98
**Approved by Personnel Committee, 4/23/99
***Approved at Board Meeting, 4/19/2000

2. NOMINATING COMMITTEE
Selection, purpose, function, and duties are provided in Chapter IX, Section 1 of the ASD Constitution and By-Laws.

3. BUILDING AND GROUNDS COMMITTEE
Responsible for:

a. Looking after building and grounds.

b. Long range planning for the acquisition, renovation, repair and maintenance of the Society's facilities.

4. FUND RAISING COMMITTEE
Responsible for organizing and directing fund raising activities for the Society.

5. SCIENTIFIC COMMITTEE

1. The Scientific Committee proposes concepts and procedures under scientific conditions, acts as a clearing house for procedures and approaches suggested by the membership and coordinate the dissemination of information.

2. The Scientific Committee would present to the Trustees the following:

a. Recommend appropriate methods and overall framework for the study of dowsing, knowing that these recommendations would be updated as appropriate.

b. Propose methods that would develop effective long-term studies to scientifically quantify, and thus enhance, dowsing skills.

c. Propose methods to scientific researchers for controlled studies that would document verifiable targets, such as veins of water.

d. Propose ways to create awareness in the academic community to study how dowsing works and develop instrumentation to measure the accuracy of dowsing.

e. Propose approaches to measure the dowsing response up to and including its role in the personal evolvement of the dowser.

3. The Scientific Committee is a clearing house for scientific matters pertaining to developing effective procedures and programs to develop appropriate scientific studies of dowsing. The Scientific Advisor will offer reports and proposals to the Board of Trustees and the Membership.

6. EDUCATIONAL COMMITTEE

1. The Educational Committee proposes concepts and procedures in educational matters, acts as a clearing house for procedures and approaches suggested by the membership and coordinates the dissemination of information.

2. The Educational Committee would present to the Trustees the following:

a. Recommend appropriate methods and overall framework for the teaching of

dowsing, knowing that these recommendations would be updated as appropriate.

b. Propose methods that would develop effective long-term attitudes by which to use the dowsing skill.

c. Propose methods for training beginners to learn to find immediately verifiable targets, such as veins of water.

d. Propose ways to create effective awareness of the many immediate, practical uses of dowsing beyond locating a vein of water.

e. Propose approaches for developing awareness of the more subtle uses of dowsing, up to and including its role in the personal evolvement of the dowser.

3. The Education Committee is a clearing house for educational matters pertaining to the teaching and learning of dowsing and in developing appropriate and effective Procedures and programs. The Education Committee will offer reports and proposals to the Board of Trustees and the Membership.

7. ADVERTISING AND MARKETING COMMITTEE

1. The Advertising /Promotion Committee shall report to the Board of Trustees.

Their primary directive is to co-ordinate all of A.S.D.'s advertising and marketing programs.

The Committee will investigate and make recommendations directly to the Board as to where and when we should invest in advertising and marketing to attain our goals of increasing membership, gaining revenue, and serving our current membership. *Approved January 28th 2014

* WATER FOR HUMANITY FUND (WFHF)

1. General
   a. The Mission of the ASD Water For Humanity Fund (WFHF) is to empower others by funding the development of dug or drilled wells and other aspects of water resources and recovery in areas of critical need. Equally, our goal is to further the educational mission of the ASD by demonstrating and teaching the practicality of dowsing and to increase the credibility of this valuable art.
   b. The purpose of this Policy & Procedures statement is to provide a guideline for ensuring the continuity of managing the WFH*F*.

2. Detailed Procedures
   a. ASD Headquarters Responsibility
      (1) The WFHF is a subsidiary organization of the American Society of Dowsers, Inc.
      (2) The OM shall receive all monies related to the WFHF, such funds shall be immediately deposited to the WFHF account, and a copy of each check and cash accounting record (including names and mailing addresses for each donation) shall be forwarded to the WFHF Treasurer.
   b. Committee
      (1) The WFH*F* Committee shall consist of:

(a) Two current ASD Trustees (selected by the Trustees)
(b) One current ASD Convention Committee Member (selected by the Convention Committee)
(c) Six ASD Members-At-Large and, when an opening occurs in the current configuration of the WFHF Committee in this area, the Committee may advertise for applicants in the Digest and/or the WFH E-newsletter, inviting members to apply to fill the position. Each applicant must submit a letter explaining his/her vision for the Committee, what talent(s) s/he can bring, and what project(s) s/he may wish to pursue while on the Committee. These letters shall be retained to form a resource for future selection of Members-at-Large. The remaining members of the WFHF Committee shall review the applications on file and select by vote the person they consider best qualified to fill the empty position.

(d) The Committee may appoint non-voting Advisors as deemed necessary and they may attend WFHF Committee meetings.

3. Committee Responsibilities

a. The President shall appoint a Chairperson. The Committee shall elect a Secretary and Treasurer. This group of people shall be known as the WFHF Executive Committee.

b. This Committee shall meet as a body in person at the ASD Annual Convention. The fall and spring meetings shall take place either at the ASD Headquarters in Danville, VT or by teleconference. All other communications will take place by phone, mail, and or e-mail. The WFHF Executive Committee shall have the option to call other meetings as necessary.

c. The Committee is responsible for making decisions regarding the disbursement of non-restricted funds and the timing of disbursement of restricted funds.

d. Members on the WFHF Committee may form and maintain a sub-committee for the purpose of grant writing. This sub-committee shall include the Secretary or his/her designee and coordinate potential grants with the WFHF Treasurer (for reporting requirements.) This sub-committee will coordinate its activities with those of the ASD Grant Writing Committee.

4. Committee Chairperson Responsibilities

a. Assemble the Committee either in person or by teleconference, conduct meetings, and assign a Raffle Chairperson from the ASD membership who is willing to coordinate with the Annual Convention Committee.

b. The Chairperson, or his/her representative, shall present the Committee's Annual Report at the Annual Convention; this Annual Report will then be reported to the general membership by publishing it in the Digest.

c. On an annual basis, the Chairperson should consider presenting awards in the following categories:

(1) To the ASD member, foreign or domestic, whose contribution and support best represent the spirit of the WFHF.

(2) To the ASD Chapter whose contribution and support best represent the spirit of the WFHF.

(3) To the non-profit organization, foundation, non-ASD individual, church or civic group whose contribution and support best represents the spirit of the WFHF.

(4) To the corporation whose contribution and support best represents the spirit of the WFHF.

5. Committee Secretary's Responsibilities

a. Prepares and distributes the Agenda for each meeting.

b. Records minutes at each meeting and distributes copies to all Committee members for review.

c. Handles correspondence and responds to all requests for grant application materials.

d. Receives all proposals, and copies, distributes or forwards them as needed to all Committee members.
e. Copies and distributes to all Committee members any final project reports or relevant correspondence.
f. Updates records of correspondence and the WFHF history timeline.
g. Prepares the WFHF Annual Report for the Chairperson's oral presentation at the Annual Convention and for publication; this is in conjunction with the Treasurer's report.
h. Prepares updates on WFHF activities for periodic publication for the benefit of the general membership.
i. Participates in the Committee's grant writing activities.
j. Participates, in person or through his/her representative, in the WFHF portion of the ASD web page design and keeps the web page information up-to-date.
k. Maintains the WFHF brochure, letterhead, and all working documents.

6. Committee Treasurer's Responsibilities

a. Receives records of all monies (including names and mailing addresses for each donation) from the ASD office.
b. Keeps appropriate financial records.
c. Writes thank you notes and written acknowledgement of monetary donations suitable for use as income tax deductions.
d. Prepares the WFHF financial statement for inclusion in the WFHF Committee's Annual Report for presentation at the Annual Meeting and for publication in one of the ASD's official periodicals; this is in conjunction with the WFHF Secretary's report.
e. Gives financial reports to the Committee at all three of the required meetings during each calendar year.
f. Updates the "Levels of Support" document for annual publication recognizing contributors in different categories and for advising the Chairperson on donor awards.

7. Raffle

a. To be held during the annual ASD convention utilizing donated gifts as prizes.
b. Should any ASD Conference choose to hold a Raffle or other fund-raising event, where it is not prohibited by law, for the benefit of the WFHF, the proceeds from the Raffle or other fund-raising event shall be sent to the OM as soon as possible after the end of that Conference or event. Recognition of the effort shall be announced at the Annual Meeting.

8. Raffle Chairperson's responsibilities

a. Organize and promote the WFH*F* raffle held at the Annual ASD convention.
b. Solicit volunteers, and coordinate volunteers to solicit prizes for daily raffles. Lists are to be kept of all prizes collected with each donor's name. A master list of donors' names will be made available at the raffle table.
c. Be responsible for collecting and "holding" all prizes until the raffle.
d. Submit regular reports to all WFH*F C*ommittee members regarding the status of all raffle activities.
e. Coordinate volunteers to sell raffle tickets at the Annual Convention.
f. Be responsible for sorting prizes for daily raffles. All collected prizes are to be divided and assembled prior to each evening raffle.
g. Be responsible for coordinating the overall functioning of the evening raffle, including necessary volunteers to take charge of the drawings.
h. All proceeds shall be presented to the OM for deposit in the WFHF account in a timely fashion.
i. Supply donors with a written acknowledgement of the receipt of the raffle prize donation.

9. Funds
   a. Non-Restricted Funds are defined as monies donated, granted, or bequeathed to the WFH*F* for those beneficial purposes as deemed appropriate by Committee.
   b. Restricted Funds are defined as monies donated, granted or bequeathed to the WFH*F* for specific purposes as designated by the donor.
   c. Management of Funds
      (1) All monies received for the WFH*F* shall be placed in an interest bearing savings and/or checking account separate from any non-WFH*F* accounts.
      (2) An accurate record must be maintained at ASD Headquarters, and by the WFHF Treasurer, of:
         (a) Donor's name and mailing address.
         (b) Donor's specified intent for any personal acknowledgment.
         (c) Donor's specified intent of any donation, bequest, gift, etc.
         (d) Amount and/or description of contribution.
         (e) Date that contribution was received.
         (f) Recipients name and check number.
         (g) Date and amount of transaction; reason for transaction.
      (3) No donation to the WFHF may contain restrictions that limit, in any manner, the ability of the WFHF Committee to disburse any other available funds obtained from any other source.

10. Awarding of Grants
   a. Each project is to be assessed individually
   b. Recipient's Project Qualification
      (1) Project must be located in a developing country, or an area of need.
   c. Recipient's Responsibility
      (1) Provide a detailed project proposal including maps and other confirming documents.
      (2) Acknowledge the receipt of any funds to the Secretary of the Committee within 30 calendar days of receipt.
      (3) Manage the funds and conduct the project in good faith, according to WFHF guidelines, and submit a project completion report in a timely fashion.
      (4) A field liaison may serve as a representative between the WFH Committee and the recipient organization.

PRESENT ASD COMMITTEES AND/OR ADVISORS

1. Appointed by the President.
   a. Convention Committee Chairperson
   b. Dowsing School Directors, Basic and Expanded
   c. Dowser of the Year and Register of Recognition Committee (s) of three (3) members, not necessarily Trustees
   d. Galen O Hutchison Scholarship Committee
   e. Membership Committee
   f. Scientific Affairs Committee
   g. Building and Grounds Committee
   h. Fund Raising Committee
   i. Scientific Committee
   j. Education Committee

k. Advertising and Marketing Committee

2. Deleted 1/15/14

3. Appointed by the Regional Coordinator and President
   Nominating Committee of seven (7) ASD members who are not Trustees.

4. Appointed at the Annual Membership Meeting
   Auditing Committee of at least three (3) ASD members.

5. Other Committees

FEES

*1. Regional Conferences

a. All regional conferences shall give ASD $2.00 per registered attendee, paying or not paying. Payment to ASD should be accompanied by a full registration list, within 45 days of the end of the conference. This is to be effective January 1, 2008.

* Approved 10/2/2007

*2. Sanctioned/sponsored Events - Approved events shall encompass all events such as regional conferences and workshops for which ASD provides one or more of the following services:,

a. Service A

1. A listing of the event will be placed in *The Dowsers Network* and/or the Quarterly Digest under ASD Schedule of Upcoming Events.

Approval Authority: Operations Manager
Charge: None

b. Service B (For events such as conferences)

1. Use of the Society name in conjunction with a particular event is authorized.

Approval Authority: ASD Board
Charge: As in Fees #1 above.

2. Certificate of insurance, if available, will be provided upon request when the event is authorized as above

Approval Authority: Operations Manager
Charge: Cost of insurance, if any.

c. Service C (For events such as weekend, pre and post convention workshops.)

1. A one-half to one-page description of the event including a registration form will be placed in one or two issues of *The Dowsers Network*. The registration form will provide for the entry of attendee information and list the fees.

3. The ASD staff may receive the payment of fees and, as required, arrange for refreshments; i.e. lunch.

4. ASD Dowsers Hall or a nearby facility may be provided for the event.

Approval Authority: Operations Manager
Charge: 25% of gross profit plus cost of nearby facility, if required.
Services will be requested in writing, and approval or disapproval stated in writing.
* Approved 7/28/97

NOMINATING COMMITTEE GUIDELINES (approved 2/29/04)

Procedures to be used in the selection of Nominating Committee members and their duties are included in the ASD By-Laws (see Chapter IX Elections). The following information, clarifications, options, guidance should also be used. (note: as of date of approval 2-29-04, an accompanying By-Law change was pending)

PART I

NOMINATING COMMITTEE SELECTION

C. The By-Laws provide for a seven (7) member nominating committee, made up of ASD members in good standing, to nominate candidates to run for the Board of Trustees.

D. While serving on the Nominating Committee, a member may be eligible for election to the Board of Trustees.

E. Members of the Nominating Committee are to be familiar with their duties and responsibilities, as well as the duties, responsibilities, obligations, etc. of ASD Trustees and Officers. The ASD Operations Manager, will provide committee members with a current copy of the ASD By-laws, and the Policy and Procedures Manual. The relevant parts (at least the Nomination section) may be separately copied or highlighted for the convenience of the members.

F. Trustees and elected Officers shall not serve on the Nominating Committee, but may confer individually and/or collectively with any or all of the members of said committee. (By-Laws, Chap IX, Sec.4)

PART II
NOMINATION PROCESS

The Nominating Committee shall use these guidelines, relevant By-Laws and the ASD Policy and Procedures Manual, in their selection of a suitable and qualified slate of candidates for presentation to and use by the General Membership in the Trustee election process.

The Nominating Committee shall select candidates from eligible ASD members, whose names, accompanied by reasons for the recommendation have been presented to the Committee in writing. (see *Solicitation Letter*)

A. The Nominating Committee shall recommend at least ten (10) eligible and well qualified candidates for consideration. The slate of candidates should, if possible, contain the names of nominees from each of the Society's six (6) Regions, to insure proper representation for all members.

B. All Committee deliberations, findings, conclusions are confidential and the names of those selected for nomination shall not to be made until the list of candidates is conveyed to Office Manager

The Nominating Committee shall evaluate the qualifications, past and more recent contributions, and future potential of prospective candidates and seated Trustees who have stated in writing they wish to be considered for nomination. Nominees should be examined, in part, as to the amount of time and energy spent, and their active involvement in advancing dowsing, the Society and its members. This should include chapter, regional and national levels, through committee work, task force activities, lectures, workshops, as well as news media, writing articles published in the *Digest*, and the *Dowsers Network*.

The Chairperson, and members of the Nominating Committee have a reasonable measure of freedom and latitude in establishing the internal Procedures that they will use in selecting a slate of qualified nominees for election to the Board of Trustees

In its quest for well qualified candidates, the Nominating Committee shall use all the practical tools and methodologies at its disposal. For example, interview prospective candidates and interested Trustees via telephone, email or in person. Consult other ASD members who are well acquainted with a candidate, to get their views and opinions, and dowsing the candidate's suitability on a variety of pertinent issues. Consider having a list of interview questions to be asked of all prospective candidates. To further assist the Committee, the *Prospective Trustee Questionnaire* is to be completed by each nominee, signed and returned to the Committee, by a stated time.

Note:

1. A good dowser or a good presenter does not necessarily make a good Trustee.
2. Nomination of a seated Trustee is not automatic - it is based on their significant contributions to ASD, its leadership and its members, as well as the demonstrated ability and willingness to serve as a working member of the board

PART III

RECOMMENDED INTERNAL PROCEDURES / TIME REFERENCE GUIDELINES

1. Within thirty (30) days of being appointed to the Committee, members will elect a Chairperson.

2. The ASD Operations Manager will issue each Committee member a current copy of the ASD By-Laws, Policy and Procedures Manual, within one week of Committee selection. The Chairperson will request that each member become familiar with, and understand, the contents of these documents that are crucial to their duties and responsibilities.

B. No later than three months prior to nominations being due, the Committee will begin a campaign to alert all members of the Society that the Nominating Committee is soliciting nominations for Trustees from their

respective chapters and regions. The Committee Chairperson will coordinate with the ASD Operations Manager, the ASD National Chapter Secretary, the Editors of both the *Digest* and *The Dowsers Network*, etc. as appropriate, to insure the message gets publicized at all levels of the Society, including chapters.

C. A *Solicitation Letter for Nominees for Election to the Board of Trustees* shall be sent to all Trustees, Regional-Coordinators and Chapter Presidents with a request for nominations from qualified ASD members. It is expected that the Solicitation Letter will be distributed widely to qualified members.

D. Upon receipt of nominations for Trustee from an ASD member, the Committee Chairperson shall forward that data to all members of the Committee, and send each nominee, including interested Trustees, a *Nominee Congratulations Letter*, and a *Prospective Trustee Questionnaire*. The Nominee will be directed to complete, sign, and return the questionnaire to the Chairperson, by a specified date (approximately three (3) weeks).

E. The Chairperson will forward to Committee Members copies of all correspondence, completed questionnaires, together with any other compiled data relevant to nominees, special instructions, suggestions, and guidelines, triggering the evaluation process.

F. Committee members shall, as a group, using ASD Policy and Procedures, guidelines and tools such as form letters, selection criteria, measurement devices, review and evaluate the qualifications and potentials of each candidate. Members may use mail, email, telephone, and private meetings during Regional Conferences etc. At least 14 weeks before ballot distribution, there shall be a proposed slate of nominees for review by the whole Committee.

G. The Committee shall, approximately 13 weeks prior to ballot distribution, end its deliberations, and prepare a finalized slate of Candidates for the Board of Trustees.

H. The Chairperson of the Nominating Committee shall, at least 11 weeks before ballot distribution, notify each candidate, in writing - this may be by email, fax or postal mail, and inform them of their acceptance or rejection as nominees. At the same time a biographical sketch shall be requested from all accepted nominees. The Committee Chairperson shall receive that sketch at least 8 weeks prior to ballot distribution

I. The Chairman of the Nominating Committee shall, at least 45 days prior to ballot distribution, present the slate of candidates, in writing, to the Secretary of the Board of Trustees who shall immediately present a copy of the list to the Operations Manager.

J. The Nominating Committee shall review, edit and approve each candidates biographical profile.

K. The Office Manager shall include candidate profiles in the ballot and information sent to each member The ballot shall be mailed by first class mail, at least 60 days prior to the election date. Ballots are to be received by ASD by election deadline. Elected trustees shall be notified by phone if possible, and, in writing at least six (6) weeks prior to the Annual Meeting.

L. It is suggested that election results be posted on the ASD website after notification of all candidates has been attempted.

FORMS (may be sent by the most reasonable and convenient manner)

To further assist the committee the following letters and questionnaires are provided.

1 Solicitation Letter for Nominees for Election to the Board of Trustees

2 Criteria for Nominees - chart

3 Nominee Congratulation Letter

4 Prospective Trustees Questionnaire

SOLICITATION LETTER for Nominees for Election to the Board of Trustees

4. The Nominating Committee of American Society of Dowsers invites chapters and members to submit the names of members in good standing that they consider highly qualified candidates to become members of the Board of Trustees.
5. The following requirements, qualities and criteria, are deemed important in the consideration of a member for the Board of Trustees:
   a. at least18 years of age
   b. a U. S. citizen
   c. a thorough understanding of the basic concepts of dowsing
   d. a history of active involvement at chapter and higher organizational levels promoting the cause of dowsing
   e. a reasonable, logical, practical and open mind
   f. able to bring in special skills, knowledge, aptitudes e.g., finance, marketing, management, computer science, engineering, etc.
   g. ability to grasp the challenges confronting ASD, and to make decisions effectively
   h. ability to work efficiently and harmoniously with others in a group setting
   i. has the time, energy and financial resources to attend all Trustee Meetings, ? [Note: There have previously been two (2) meetings at the Annual Conference, one before the Conference, one after the Annual Meeting, and at least 2-3 other meetings during each year. These meetings may be anywhere in the country. For example for 2003-2004, meetings were held in Vermont, Arizona, and Washington state. Recently, to get the business of the Board accomplished and to reduce the expense and time of travel for Trustees, some meetings have been teleconferences]
6. The recommendation must be in writing, citing the reasons for the nomination, and containing a statement that the nominee has expressed a willingness to serve. People may not nominate themselves. Please provide their name, address, email, phone(s) and fax. Note: a copy of the *Prospective Trustee Questionnaire* is located at the ASD web site: www.dowsers.com

Please send information on your nomination for Trustee as soon as possible, to be received by (date) _____
to: (name)_____

Chairperson, Nominating Committee

(address)_____

_____

email: _____ fax _____

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For Members without email the following Post Card may be used to solicite nominations.

HELP CREATE THE FUTURE OF A.S.D.

Now is your opportunity to take a vital role in steering ASD into a bright future!

Do you know a highly qualified member that you would like to nominate as a candidate for the ASD Board of Trustees?

If so, we want to hear from you!

The 2011 ASD Nominating Committee

Candidates need to have the dedication to serve and the time, energy, and resources to attend all Trustee and Committee meetings - most all of which are held via teleconference. In-person attendance is required at the Annual Convention & may be requested at other times. Candidates must have access to email and be able to participate in monthly phone meetings.

Send your written recommendation citing your reasons for your nomination with a statement that your candidate has expressed a willingness to serve.

A copy of the letter listing the necessary qualifications, the prospective trustee questionnaire, and copies of our by-laws and the policy & procedure manual are found on www.dowsers.org under Dowser Resources. Or feel free to call the ASD office at 802/684-3417 for a copy.

Send your nominee's name, address, email, and phone number before September 28, 2010 to: 2011 Nominating Committee, ASD, 184 Brainerd St., P.O. Box 24, Danville, VT 05828

CRITERIA FOR NOMINEES

	Question – This candidate…	A- Meets all criteria 76-100%	B – Meets most of the criteria 52-75%	C- Meets some of the criteria 26-50%	D – Meets little or none of the criteria 0-25%
1	Is a member in good standing of ASD				
2	Is knowledgeable about dowsing				
3	Is reasonable				
4	Is logical				
5	Is practical				
6	Is open minded				
7	Has a history of active involvement at chapter and higher organizational levels promoting the cause of dowsing				
8	Is able to bring in special skills, knowledge, aptitudes e.g., finance, marketing, management, computer science, engineering, etc.				
9	Has the ability to grasp the challenges confronting ASD and to make				

	decisions effectively				
10	Has the ability to work efficiently and harmoniously with others in a group setting				
11	Has the time, energy and financial resources to attend all Trustee Meetings				
12	(current trustee) Full Meetings attended in the current term e.g. #____of total # .				
13	(current trustee) # regional conferences attended in current term				
14	(current trustee) will contribute to and enhance leadership of ASD and its members				
15	(current trustee) has significantly contributed to and worked on committees for the benefit of ASD				

NAMES and phone numbers of references

1. ._____Phone: (____) _____
2. ._____Phone: (____) _____
3. ._____Phone: (____) _____

Notes/discussion

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NOMINEE CONGRATULATIONS LETTER

FROM Chairperson, Nominating Committee to Nominee –

Date

Name

Address

SUBJECT: Nominee for ASD Trustee

Congratulations on having been nominated by (name)_____as a candidate for American Society of Dowsers Board of Trustees, for the next two (2) year term

Thank you for your interest and stated willingness to serve in this vitally important office of the American Society of Dowsers and its members.

The Nominating Committee is currently reviewing your nomination. In the member's letter recommending you, we received some information about your qualifications. Please provide additional information in the attached PROSPECTIVE TRUSTEE QUESTIONNAIRE, sign it and return it to me by (date)_____.

Sincerely,

(name)_____

Chairperson, Nominating Committee
Address:
fax:
email:

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PROSPECTIVE TRUSTEE QUESTIONNAIRE

(A copy of the Prospective Trustee Questionnaire is located at the ASD website www.dowsers.org under Dowsers Resources)

(Current trustees see PART II)

PART I

NAME _____

PHONE_____EMAIL_____FAX _____

ADDRESS _____

I am 18 years of age or older. Yes_____No _____

U.S. CITIZEN (Nominees must be citizens of the U.S.A.) Yes_____No _____

NOMINATED BY

Name_____

Address_____

Phone_____Email_____Fax _____

Please use additional sheets as necessary

1. Number of years of active dowsing _____

2. Explain your knowledge of and practical experience in the field of dowsing

_____

3. Explain why you want to become a Trustee of ASD _____

_____

4. What makes you proud of what ASD is doing _____

5. Number of years as a member of ASD _____

6. Are you a member of an ASD Chapter Yes _____ No _____ If yes:
   Chapter name _____
   Positions held _____
   Chapter accomplishments in which you took part _____

7. If you do not belong to a chapter: What accomplishments or contributions have you made for the betterment of ASD and your community

8. Have you attended ASD-sponsored Regional Conferences Yes_____No _____
   If Yes, Where_____When _____

9. Have you attended the ASD National Convention Yes_____No _____
   If Yes, When _____

10. Have you been a speaker at the National Convention and/or Regional Conferences
   Yes_____No_____If Yes, Where_____When _____
   What were your subjects _____

11. Have you ever held a national position with ASD (Such as appointment to national committee(s) like Auditing, Nominating, or Awards, etc, or Regional Coordinator.)

_____

12. Have you received any awards from ASD Yes _____ No _____
   List, describe, the award(s) _____

13. Will you have both the time and financial resources to attend all of the Trustee meetings held each year Yes_____No _____
Note: There are a minimum of two meetings held at the Annual Convention that require physical attendance. One is before the Convention and one is after the Annual Meeting. Others are called as needed at Convention or at other sites anywhere in the country. Convention and travel expenses are not reimbursed by ASD. Most meetings are conducted by conference call. All phone charges are the responsibility of the trustee.

14. Will you have time to fulfill your responsibilities as a Trustee Yes_____No _____

15. List and briefly describe past positions, similar to that of ASD Trustee, that you have held (include approximate dates), and how those experiences prepare you for being an ASD Trustee _____

16. Explain how your interpersonal relationship skills and ability to work harmoniously with others in a group setting would benefit the Board of Trustees, ASD and its members
_____

17. Explain how you can/will make a positive contribution to the leadership of the Society and its members _____

18. Explain what other supportive specialized knowledge, experience, expertise and aptitudes you offer in such areas such as management, finance, accounting, human resources, law, marketing, advertising, science, engineering, parliamentary procedures, etc.
_____

19. What committees (for example Convention, Membership, Scientific Affairs, Building and Grounds, Fund Raising, etc.) would you consider being an active part of. Why
_____

20. What By-Laws, Policies or Procedures should be changed, if any, and why
_____

21. What about ASD would you change. Why _____

22. Provide, as a reference, at least one member of the current Board of Trustees familiar with you and your qualifications who we may call

Name _____

Phone number _____

E-mail _____

Address _____

23. Provide, as references, three (3) people who are not Trustees who we may call

Name _____

Phone number _____

E-mail _____

Address_____

Name _____

Phone number _____

E-mail _____

Address_____

Name _____

Phone number _____

E-mail _____

Address _____

Note: Being a Trustee is not just an honor, it is a large responsibility. The first meeting of a term is a working meeting. All trustees must have a strong working knowledge of the By-Laws, and the Policy and Practices Manual, and be able to knowledgably discuss items on the agenda. Some meetings are teleconferences or are held at a specific location with the possibility of additional persons attending by telephone. Trustees communicate as much as possible by email. All Trustees are expected to have email access and to attend all of the meetings.

PART II

FOR CURRENT TRUSTEES

Would you like to continue to serve as an ASD Trustee Yes_____No _____
If your answer is Yes, please answer the following additional questions.

1. Briefly explain your contributions, accomplishments and actions taken during your current 4 year term, which enhanced the Board of Trustee Meetings, the Society, and the membership-at-large _____

_____

2. Which committees have you actively served on during this the current term

_____

3. How many Trustee meetings have you attended during your current tenure as a Trustee In person_____Telephone conferences _____

4. How many National Conventions and Regional Conferences did you attend during your tenure as Trustee Where and When National_____Regional _____

5. If re-elected, detail how you will contribute to and enhance the leadership of this Society and its members _____

_____

_____

I certify that the above information is true.
Signed_____Print Name_____Date _____

Please return this questionnaire and any additional requested information, to the Nominating Committee representative below no later than (date) _____

Name (NC Rep.) _____
Address _____
Email _____

Fax _____

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