

# **American Society of Dowers**

## **2016 Audit, Final Report**

### **EXECUTIVE SUMMARY**

This report presents the findings of the 2016 American Society of Dowers (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 that 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



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 Committee**

#### **Audit Findings**

This report is for the findings of the 2016 American Society of Dowsers (ASD) Audit Committee. Records within ASD indicate that the last audit was performed in 2007, so an audit was overdue. The audit is divided into two sections: the Water for Humanity Fund audit report, and the American Society of Dowsers audit report.

#### **Water for Humanity Fund Audit Report**

Although the audit includes 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 Mr. Dan Prater, the WFHF Committee Chair, upon his resignation. 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. Mr. Prater's statements included:

- 1) The WFHF Committee was unable to fulfill its fiduciary responsibilities due to the immobility and futile decisions made by the Board of Trustees;
- 2) The lockout of Steve Herbert from ASD Headquarters;
- 3) The removal of any and all Water for Humanity Fund nomenclature at convention to commemorate the Fund's 25<sup>th</sup> Anniversary;
- 4) Purposeful muzzling of members during public meetings;
- 5) Secretive Trustee meetings related to PPM and By-Law changes;
- 6) Trustee requests to apply a percentage of your WFHF donation to the ASD general fund;
- 7) The forced resignation of President Adhi Two Owls as well as Trustees Richard Benishai, Rebecca Gurland, and Janet Windsor;
- 8) Placing the WFHF in escrow indefinitely due to the immobility and futile decisions made by the Board of Trustees;
- 9) The trustees have also made false written and orally libelous statements in an attempt to discredit Steve and now more recently our (WFHF) committee.

Mr. Prater's resignation letter is enclosed at Appendix A, while the letter referred to in statement 9 above, written by Marty Lucas, is at Appendix B. These specific statements of Mr. Prater elevated the level of concern of the Board of Trustees regarding the operations of the WFHF Committee, implying possible fiduciary problems with the WFHF.

In addition to answering these specific concerns, the Audit Committee was tasked to perform an audit of the organization from the perspective of adherence to common business practices, management, management effectiveness, adherence to ASD By-Laws and PPM, applicable laws and regulations, and gross handling of funds. This audit was never intended to be a CPA level audit; the ASD Board of Trustees has had difficulty finding sufficient CPA expertise within the organization willing to volunteer for this task,

as well as difficulty finding qualified people to participate in committees. In addition, ASD does not have the necessary financial resources needed to bring in an outside CPA to conduct the audit.

The initial portion of the report will begin with addressing the questions regarding the Dan Prater resignation (1 through 9 above).

**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 25<sup>th</sup> 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 25<sup>th</sup> 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 when 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 resignation is 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 dowers 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 Dowser 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 is 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 29<sup>th</sup>, 1953, in Maruthangudi (Pillayarpati) 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 Pillayarpati 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 dowers.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 dowers.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 dowers.org; one suggestion would be to also include, as a bcc: address, another email account (such as [archive@dowers.org](mailto:archive@dowers.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 its 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 rationale 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.

RECOMMENDATION: "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 its 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 25<sup>th</sup> 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

## APPENDIX A (cont)

the Fund's 25<sup>th</sup> 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 25<sup>th</sup> 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.

## APPENDIX C (cont.)

<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](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?

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

## APPENDIX C (cont.)

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: 

----- 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](mailto: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

## APPENDIX D (cont.)

address; we would scan it 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

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]  
[REDACTED]



## 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 5<sup>th</sup>, 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 11<sup>th</sup>, a well was approved for Ghana and memorial 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 17<sup>th</sup> 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 [REDACTED]

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 DOWNSERS  
PO Box 24, Danville, VT 05828 USA  
Telephone (802) 684-3417 · Fax (802) 684-2555  
asd@dowrsers.org · dowrsers.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 7<sup>th</sup>, 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](http://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 18<sup>th</sup>, 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 22<sup>nd</sup>. In March, we received a grant to support a second-phase ceramic water filter distribution project in Kenya. At the June 9<sup>th</sup> 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 11<sup>th</sup> 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 5<sup>th</sup>, 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 11<sup>th</sup>, a well was approved for Ghana and memorial 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 17<sup>th</sup> 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 [REDACTED]

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 guest 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.

## APPENDIX H (cont.)

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 25<sup>th</sup> 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 21<sup>st</sup>. 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
Discrepancy			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	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
Discrepancy					54.43		54.43
Postage							0
Trip Itself			37.12	659.41	767.64	32.85	1464.17
Beginning Total	Total Nov.	Total Dec.	Tot./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
	sp glasses	mi proph	suppiemts				Remaindr
	umbrella		cell 1 mo.				4,547.05
	flashlights	calculator	& ph card				
	sm caribnr		film				
			1st Aid kit				
			compbook				
			lamination				



## **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 23<sup>rd</sup> and 24<sup>th</sup> 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

## APPENDIX J (cont.)

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*



## 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 22<sup>nd</sup>, 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

<b>1. Grantee organization</b>	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
<b>2. Identification of the Project</b>	2nd National Convention of Indian Society Of Dowsers (Formerly All India Society of Dowsers).
<b>3. Thematic area</b>	Annual General Body Meeting.
<b>4. Location of the Project</b>	Scripture Union Camp Site, Mamallapuram, A UNESCO asserted Monumental Site, India.
<b>5. Project Date</b>	22 <sup>nd</sup> 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 Dowers 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 dowers 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.	Completed with satisfactor y level.	The delegates openly shared their experiences in dowsing practices with great interest.

		World water day and decade on Global action were realized and celebrated.		
5	Annual General body endorsement past year activities and planned for the coming year.  Formation of Dowzers 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 Dowzers society expansion noticed.

## **APPENDIX J (cont.)**

### **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



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

DEPARTMENT OF THE TREASURY

Date: APR 26 2016

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

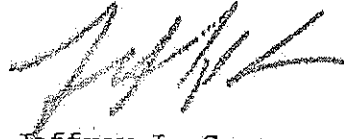
Employer Identification Number:  
81-2029865  
DLN:  
26053512002116  
Contact Person: ID# 31  
CUSTOMER SERVICE  
Contact Telephone Number:  
(877) 829-5500  
Accounting Period Ending:  
February 28  
Public Charity Status:  
509(a)(2)  
Form 990/990-EZ/990-N Required:  
Yes  
Effective Date of Exemption:  
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 qualified to receive tax deductible bequests, devises, transfers or gifts under Sections 2055, 2106, or 2522. This letter could help resolve questions on your exempt status. Please keep it for your records.

EARTH WATER ALLIANCE INC

Sincerely,



Jeffrey I. Cooper  
Director, Exempt Organizations  
Rulings and Agreements

  
October 20, 2017

Alden (Tick) Gaudreau, President  
American Society of Dowsers  
184 Brainerd St.  
Danville, VT 05828

RE: Request for Donation Accounting third request  
*Sent via U.S. Mail, Certified Return Receipt #70111570000188314582*

Dear President Gaudreau:

On May 12, 2016 I emailed then President Marty Lucas requesting accounting for the almost \$30,000 I had donated to the Water for Humanity Fund (WFH). This was following the freezing of the WFH and charges and terminations of memberships of the WFH Committee members. I reiterated the request May 19, 2016. To date I have had no response except for then President Lucas indicated that I would receive a full accounting from an attorney and this has never occurred more than a year later.

In listening to the September ASD Board call I was dismayed to learn that the Board decided to donate money to hurricane relief efforts by two large non-profits and/or the National Guard. The Board recording refers to an August Board meeting and donations for hurricane relief that the Board was making, though the recording of this meeting is not posted and has not been made available to members.

I strongly state that this is not the purpose for which I donated money to WFH. WFH's mission (that still appears on the ASD website, in its emailed newsletters, presented at booths at conventions, WFH annual reports, etc.) all state that monies will be used for dug and drilled wells, water resource development, purification, protection and conservation and secondly to demonstrate dowsing. I would never have donated money to be used for the National Guard or hurricane relief nor was that my intent as a donor. Monies have never in the past been given for hurricane relief nor was it ever stated that it would be done or that it was part of WFH's intent to do so. I feel that the current actions by the Board are not the mission of WFH and definitely I would never have donated to WFH for what the Board is spending my donations on.

I also feel that the Board is not appropriately handling donations. In the ASD's Procedure Manual (PPM) posted on the ASD website states that WFH will have a committee consisting of at least six members, two trustees, etc. and will present an annual financial report at the convention. After listening to Board recordings from July and September it is clear that there is no WFH committee – only one person (Leroy Bull) appeared to be the WFH committee. On the July call no one on the Board appeared to have heard from Mr. Bull or knew if WFH was doing anything. On the September Board call the Board determined (and referred to doing so in August) the Board determined and voted to give funds to hurricane relief agencies and the National Guard.

The PPM further states that WFH will request grant proposals from those seeking funds. Based on the Board meeting recording in September, it appears there were no grant requests, only the Board members determined to give away the WFH funds to relief agencies or the National Guard.

I was present at the 2016 convention and believe that no WFH report was given as the PPM states will be done. On Board calls all budget and financial information is passed out ahead of time to Board members and voted to pass by Board members and the financial information is not made available to members.

Finally, the bylaws specifically state that charged Board members may not make decisions related to any of the charges. Since many of the charges filed in June against eight current and former Board members are related to WFH and improper use of funds, lack of accounting, lack of response to donors requesting accountings, etc., I am dismayed that charged Board members are voting and deciding on how to use WFH monies. This would appear to be a direct violation of the bylaws.

I do not feel that ASD is using my donations for the purposes for which I intended and request a full accounting of my donations to WFH. I wish to have returned to me any monies that cannot be accounted for or that were not used for the purposes for which I intended as described in the paragraph 3 above. Please respond to this request within the next 14 days.

Sincerely,

A handwritten signature in cursive script that reads "Janis Fallon".

Janis Fallon  
ASD Lifetime Member  
WFH Major Donor

[REDACTED]  
October 20, 2017

Alden (Tick) Gaudreau, President  
American Society of Dowsers  
184 Brainerd St.  
Danville, VT 05828

RE: Request for Membership Information – fifth request  
*Sent via U.S. Mail, Certified Return Receipt #70111570000188313455*

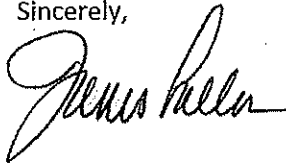
Dear President Gaudreau:

On August 16, 2017 I formally requested a membership list under the Vermont Non-Profit Corporation Law pursuant to Title 11B, Chapter 16, et. seq. I requested this information when I met with you in mid-September and via emails dated 9/25, 10/1 and 10/2. To date I have not received any formal reply.

This law mandates a reply – either through compliance with the request or a refusal. Should the ASD decline to provide the requested list, the specific rationale for such a decision is appropriate. Please refer to my initial letter of August 16, 2017 which I incorporate by reference.

I suggest that more than a reasonable time has passed. Please respond to this demand at the earliest opportunity.

Sincerely,



Janis Fallon  
ASD Lifetime Member

October 30, 2017

Alden (Tick) Gaudreau, President  
American Society of Dowsers  
184 Brainerd St.  
Danville, VT 05828

RE: Request for Financial and Other Information  
*Sent via U.S. Mail, Certified Return Receipt #70111570000188312007*

Dear President Gaudreau:

Per Title 11B Vermont Nonprofit Corporations §16.02 a member is entitled to a copy of accounting records of the corporation. On its October 24, 2017 Board meeting recording the Board stated that they would not make financial information available to the membership, however, it would be provided if requested. Therefore, we the charge complainants are requesting the documentation containing financial information listed below.

**ASD**

1. Board recording for August 2017 meeting.
2. 2017 ASD annual meeting convention minutes and handouts.
3. 2016 and 2017 to date ASD monthly and annual financial statements including balance sheets, statements of operations and any associated public accountant reports which show all income and expenses.
4. Copy of the 2016/2017 annual audit conducted by a third party, the letter to management, and the scope of work and contract issued by ASD for the audit.
5. Copy of the 2015/2016 annual audit – we believe this was done by a CPA firm but was not presented to the membership at the 2017 annual meeting.
6. Current membership list.
7. List of all ASD chapters.
8. ASD Chapter financial reports for 2016 and 2017 (when available).
9. 2016 and 2017 Convention income and expenses, including regional conventions and the annual ASD national convention.
10. ASD's 990 filings for 2015, 2016 and 2017 (when available).
11. Status of Ethics Committee formation to hear charges filed on June 14, 2016. Numerous names were provided to ASD and to date those who clearly said they would be on the Committee indicated that they have not been called.

**WFHF**

1. Annual reports for 2016 and 2017
2. List of donations (excluding confidential donor information) and other income for 2015 through 2017 to date including identification of restricted donations.
3. Copies of checks from donors for WFH for 5 years 2012-2017 to date (with confidential accounts and donor contact information blacked out).
4. Grant proposals received by WFHF for 2016 and 2017.

5. Accounting of grants funded and charitable giving including amounts, name of grantee, payment dates, and which payments were for restricted purposes identified by the donors,
6. Accounting of the Indiegogo campaign running from 3/27/14 through 5/12/14 for well drilling, water purification, and sanitation at an Old Age Home in India including amounts raised and disbursed to the organization (dates and amounts).
7. Names of WFHF committee members, positions, and dates started on the committee since March 2016.
8. WFH minutes for 2016 and 2017.
9. WFH financial reports for 2016 and 2017.

If the requested information cannot be emailed or sent via hardcopy or electronically, we then may designate agent(s) to copy the materials per 11B V.S.A. §16.03. Please indicate within seven days when financial material will be sent or when it may be inspected by agents and copied.

We understand that if a corporation does not allow a member to inspect and copy any records required to be available for inspection, then we may apply to the Superior Court to summarily order inspection and copying at the ASD's expense.

Based on the lack of response to the membership list request (dated August 16, 2017 including five subsequent requests for the information), donation accounting request dated October 20, 2017 (which was the third request for the information since the original May 19, 2016), we will assume that a lack of response by November 23, 2017 indicates an affirmative denial of these requests by the ASD.

Signed on behalf of the June 14, 2017 Ethics Charges complainants and those harmed by the Board's actions including terminated members (life and regular members), those with charges brought against them and others harmed,



Janis Fallon  
ASD Lifetime Member  
WFH Major Donor

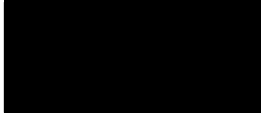
# The American Society of Dowzers

PO Box 24, Danville, Vermont 05828 (802)684-3417 Fax: (802)684-2565

[www.dowsers.org](http://www.dowsers.org) [asd@dowsers.org](mailto:asd@dowsers.org)



Janis Fallon



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.

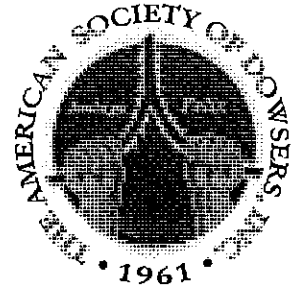
Our records show you made donations to the Fund in June 2011, June 2012, June 2013, and June 2014. You placed no restrictions on the use of the donations when they were made. Your generous donations, were approximately 1/3 of the roughly \$100,000 received during the time periods you sent money and were 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](http://www.dowsers.org)    [asd@dowsers.org](mailto: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



Aiden (Tick) Gaudreau

President

# The American Society of Dowsters

PO Box 24, Danville, Vermont 05828 (802)684-3417 Fax: (802)684-2565  
[www.dowers.org](http://www.dowers.org) [asd@dowers.org](mailto:asd@dowers.org)



Janis Fallon



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 DOWSTERS**

  
Alden (Tuck) Gaudreau

President

  
Life Member ASD

November 14, 2017

Tick Gaudreau, President  
American Society of Dowsers  
PO Box 24  
Danville, VT 05828

Dear Tick:

Water for Humanity has meant for me a group of volunteers that traveled to wherever there was a need for water. Taught the recipients how to Dowse, found water, had wells dug or drilled, provided pumps, etc. In my mind I felt this was truly a unique organization with nearly 96% or more of donations going to provide the above, including, filters and latrines where necessary. So for years I ran the raffle for WFH at the convention and was a major donor, as well. I truly believed in what WFH stood for. 'W' water - 'F' for -- 'H' humanity'

After speaking with LeRoy Bull who said the WFH committee has decided to send funds for Disaster Relief, I mulled that over and over. There are many organizations who help with Disaster Relief. WFH stands for WATER FOR HUMANITY, not disaster relief.

LeRoy mentioned that we were helping without having to send someone to the area. Sounds to me like an easy way to dispose of WHF funds without much effort. Sending someone to the area in need of water, is what makes WFH so special and unique. Richard Roy going to Haiti every year. A new Dowser this year, hearing Richard speak was so moved that he donated \$2500. The many trips that Steve Herbert took, these all forge lasting relationships with foreigners. This is what has made WFH the wonderful organization it has become. Steve Herbert has just returned from a trip to Jamaica. Both men are true 'humanitarians'.

As I watch and witness the turmoil between ASD and WFH, my take on it is this: When Steve Herbert would go to headquarters to work on WFH, he was treated like he was a nuisance. Jax would help him, but after she left he had no assistance. He did what he felt and thought was expected and needed. He was never instructed on what a 501c3 non-profit required. He may have done things that were not correct, but not intentionally. To maintain ASD's 501c3 status, I feel he has been used as a scapegoat. End result of taking Steve Herbert out of the director roll for WFH, director was not his title, but in essence he was director in my mind, is a ripple effect that is taking a toll on membership, attendance and just the very core of the organization.

My hope is that the Ethics Committee you are forming, I have personally contacted a number of members and have received an acknowledgement of interest of being on the committee from 7 members, clears Steve of any intentional wrongdoings, and that Water for Humanity continue doing the work that has made it great.

Sincerely,

SUSANNE DILLON

## **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 Locate	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	e4/7/15	
IRWED - Integrated Rural Women Education and Development	India / Tamil Nadu	Construction of 3 bore wells with hand pumps	last well of 3 first well of 4 complete; remaining 3 under construction	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	Construction of 5 bore wells and hand pumps	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	7/15/2015	Remaining 6 wells for remaining 5 upon resolution of annual reports to TN
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		
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	10/21/2015	

RETEC - Riamogire Energy and Technology Center	Kenya / western Africa	Construction of 10 dug wells with rope & washer pumps, and 50 composting latrines	4 composting latrines completed in 2013) 3 wells & 6 composting latrines currently under construction completed 1 <sup>st</sup> qtrly distribution of 50 ceramic water filters. 2 <sup>nd</sup> qtrly distribution is overdue	3,317	3,317	9/30/2014	9/21/2015	remainder between July & Dec 2016
AT - Aid Tanzania (2 <sup>nd</sup> qtr matching grant of \$2,500 requested from Debley Foundation)	Tanzania / northern Africa	Distribution of 200 ceramic water filters	Construction of boys' composting latrines	14,223	3,556	3/24/2015	6/7/2015	2 <sup>nd</sup> qtrly distribution due upon receipt of Debley funds
KCUPS - Kayenje Church of Uganda Primary School	Uganda / south central	Construction of boys' composting latrines	boys' composting latrines	7,342	7,342	12/17/2014	2/17/2015	
St. Bonaventure Indian Mission & School	USA / New Mexico / Eastern Navajo Reservation	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	(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		11/1/13	

## AMELIA B LOOMIS, MSW, ACSW, CCHt

### Curriculum Vitae

Cell Phone: 208.315.1075

Mailing Address: LodeStar Transformations™, LLC  
2976 E State St., STE 120-225, Eagle, Idaho 83616

Email: IdahoDowsers@gmail.com

### Publications

Loomis, Amelia B., *A Sense of Community*, The American Dowser Quarterly Digest, Vol 37, #1, Winter 1997, pp. 59-60.

Loomis, Amelia B. and Rhonda Simpson, *Teen Pregnancy: A Blueprint for Comprehensive Prevention and Parenting Programs for the California Schools*, California Department of Education, 1990.

Loomis, Amelia B., Carol Korenbrot and Claire Brindis, *TAPP Manual for School Dropout Prevention: Continuous Case Management + Site Support = School Retention*, 1987

Brindis, Claire, Richard P. Barth, and Amelia B. Loomis, *Continuous Counseling: Case Management with Teenage Parents*, Social Casework: The Journal of Contemporary Social Work, Family Service of America, 1987.

Carol C. Korenbrot, Ph.D., Jonathan Showstack, M.P.H., Amy Loomis, M.S.W., Claire Brindis, Dr.P.H., *Birthweight Outcomes in a Teenage Case Management Program*, Journal of Adolescent Health Care, Accepted: May 17, 1988 for March 1989 Volume 10, Issue 2, Pages 97–104. [http://www.jahonline.org/article/0197-0070\(89\)90096-X/abstract](http://www.jahonline.org/article/0197-0070(89)90096-X/abstract)

Philliber Research Associates and Amelia B. Loomis, *Expanded Complementary Health Outcomes (ECHO) Project, Grantmakers and Complementary Health: Their Current Activities and Interests*, May 1998.

### Degrees, Licenses, Credentials, & Certificates

University of California, School of Social Welfare, Berkeley, *Masters of Social Welfare (MSW)*, 6/9/1966;

Undergraduate Education: Wheaton College, Illinois, Bachelor of Arts, Major in Psychology, Minor in Literature, 1959-1960, & 1961-1963 & Certificate of Honor, June 10, 1963; Boise Junior College, Associate of Arts, Boise, Idaho 9/14/1960-6/4/1961; Donnelly-McCall High School, Diploma, McCall, Idaho 1959, Salutatorian Address.

*Certified Clinical Hypnotherapist (CCHt)*, (HT 513-170), Regression Specialist, 10/25/2014, American Council of Hypnotist Examiners (ACHE), March 30, 2013-December 31, 2014.

National Association of Social Workers - *Academy of Certified Social Workers (ACSW)*, 1968 - Present.

Reconnective Healing<sup>R</sup>, *The Basic Truths and Frequencies of Healing<sup>R</sup>, Level I/II*, Eric Pearl, Certificate of Completion, San Francisco, CA, March 13 - 14, 2010.

The Church of Spiritual Humanism. *Ordained Clergy*, #182646, 4/18/08 – present.

State of California, Board of Behavioral Science Examiners, Licensed Clinical Social Worker (LCSW), State of California, LCS #006301, 10/25/77 - 8/31/1999.

State of California, Standard Designated Services Credential with a Specialization in *Pupil Personnel Services, #245* (Life), State of California, 6/9/1966 to present. Administrative Service Credential #940063197/119803 authorizes holder to serve as superintendent, principal, supervisor, and related positions. 5/27/1994- 6/1/1999.

### Continuing Education

American Council of Hypnotist Examiners (ACHE), 30 hours continuing education certification, 26<sup>th</sup> International Hypnotherapy Conference, Pasadena, CA, May 3-5, 2013.

Hypnotherapy Training Institute, *Accelerated Hypnotherapy Training*, Levels I-IV, 200 hours, March 1-30: 2013. Diploma, Advanced Hypnotherapist, March 30, 2013, Corte Madera, CA.

Second Annual Alternative Therapies Symposium. *Creating Integrated Healthcare: Exploring the Forces of Healing*, Certificate of Attendance, Orlando, Florida, April 16-19, 1997.



Beijing University, San Rafael, CA. *Tibetan Qi Gong*, 3 Trainings, April - May, 1997.

California Psychological Association Accrediting Agency. *EEG Biofeedback Theory and Practice*, 40-hour, Approval #EEG-001 Course Code # EEG001-02-11 12/4-8/1997.

California State College, *Introduction to Psychometry*, Sonoma, 3 credits, Fall 1973.

California State University. *Behavior Modification in the Classroom*, San Francisco, 3 credits, 9/20/72.

Cambridge Graduate School of Psychology. *Child Abuse Assessment and Reporting*, San Francisco, 8 hours, 2/21/88.

*Christopher Healing Method Advanced Therapy & Body Magnetics Therapy*, Certificate of Completion Masters Series I-II, GT Group, May 29, 1997.

*Center for Non-Violent Communication (CNVC)*; 14 hour training, 40 hours in practicum. Hamilton, MT, 2003.

Four Winds. *Healing the Luminous Body: The Way of the Shaman in the South*, Alberto Villoldo, Ph.D., Joshua Tree, CA, 11/7-12/09

Harvard Medical School, The Mind/Body Institute. *Spirituality and Healing in Medicine II*, 20.5 credits, NASW Authorization #D26,870, Herb Benson, Continuing Education Certificate, Los Angeles, CA, March 15-17, 1997.

Hay House, The Writer's Workshop, San Diego, April 2-3, 2011.

Holos Institutes of Health, Inc.<sup>R</sup> *Vision, Creativity, and Intuition - The Science of Intuition*, Part I & II, C. Norman Shealy, MD, PhD & Caroline M. Myss, Ph.D., 1997-1998.

Institute for Behavioral Healthcare. *Practice Guidelines for Bipolar Disorder and Practice Guidelines for Schizophrenia*, 4 credit hours each, Seattle, WA, January 25, 2002.

American Medical Association, Washington State. *JACHO'S Pain Standard and CAM*, Office of Continuing Medical Education, Seattle, WA 2002.

La Facultad de Medicina de la Universidad del Azuay, Cinterandes, Dr. Edgar Rodas & Young Living Internacional. *Essential Oils Seminar*, Ecuador, October 10-12, 2005, 20 hours Certificate, Primer Seminario Internacional de Aceites Esenciales, 1992.

National Association of Social Workers (NASW), *Diagnosis in Depth-DSM Updated*, 12-hours each, Oakland & SF 2/14/97 & 8/14/98.

Planetree. *The Uses of Imagery in Medicine: Psychophysiological Model, Images, Assessment and Treatment, Case Supervision, Transpersonal Medicine in the Healing Process*, Jeanne Achterberg, PhD & G. Frank Lawlis, PhD, Year long training, 64 hours over 4-weekends, San Rafael, CA, 1996-97.

PSYCH-K with Bruce Lipton, Ph.D. and Robert Williams, M.A., Seattle, WA 2003; *PSYCH-K Advanced* with Larry Valmore, MSW, Boise, ID, April, 2006. (Energy Psychology)

San Francisco Unified School District Continuing Education. *Leadership Skills in Parent Education*, 8 hrs., 11/5/75; *Principles and Practice in Pupil Services*, 1 u. 6/5/76; & *Multi-cultural Family Values*, 32 hrs, 5/8/76..

Scientific Holistic Aromatherapy Conference, 7<sup>th</sup>. *Cancer, Autoimmune and Degenerative Diseases*, San Francisco, February 20 -22, 2009.

Stanford Institute for Cortex Research and Development. *Listening to the Body, Understanding the Language of Stress-Related Symptoms*, Certificate of Completion, 1996.

The Association of Comprehensive Energy Psychology (ACEP). *Energy Assessment, Intervention Methods and Ethics Course*, Certificate of Attendance 22.5 hours, David Gruder, PhD, DCEP & Mary Hammond, MA, DCEP, Denver, CO, June 24-26, 2007; 16th Annual International Energy Psychology Conf., AZ, 24 hours, May 29-June 1, 2014.

The International Society for the Study of Subtle Energy and Energy Medicine (ISSSEEM), 12<sup>th</sup> Annual. *The Co-Creation Process in Energy Medicine*, 43.75 Contact Hours, June 14-19, 2002.

University of California Extension at Santa Clara *Thirst for Wholeness: Addiction, Recovery, and Spirituality*, Christina Grof, 8 credits, PSYC X480.19, November 2-5, 1996.

University of California Extension, Berkeley. *Ericksonian Hypnosis*, 1974, *Psychosoma: the Role of Stress in Disease* 2 u. 9/26/72; *Introduction to Gestalt Therapy* 1 u., 11/18/72.

University of Montana *The Healing Arts in American and Asian Cultures: A Conference on Living and Dying Well*, Missoula, Missoula, MT, October 16-20, 1998.

U.S. Department of Health, Education and Welfare, Children's Bureau, National Center on Child Abuse and Neglect & Urban & Rural Systems Associates (URSA). *Diagnosing and Treating Child Abuse and Neglect*, 35 hour training, 4/30/1976.

WONMP World Organization of Natural Medicine Practitioners, La Organizacion Mundial de Facultativos de la Medicina Natural, 40 hours October 14-16, 2005, Quito, Ecuador.

### **Leadership and Honors**

California Alliance Concerned with School-Age Parents (CAC SAP) Vera Casey Award, *In Recognition of Your Dedication for Providing Valuable Services to the Teenagers and Professionals in the Field of Teenage Pregnancy and Parenthood*, 1987.

Foundation Consortium for School-linked Services. Award *In Appreciation for Outstanding Service As Officer of the Board*, San Francisco, CA, 1992-1996.

Good Morning America Special Guest, "Teen Fathers: Can We Help?" Highlights from the development of the first comprehensive program for teen fathers in San Francisco, New York, 1985.

Phil Donahue Show Special Guest, "Teen Fathers," Chicago, 1986.

San Francisco Board of Supervisors. Certificate of Honor presented by the in appreciative public recognition of distinction and merit, May 2, 1983.

San Francisco TAPP Consortium Certificate of Appreciation presented for *Outstanding and Dedicated Service for the Past Eight Years*, 1989.

White House Ceremony, honored as *one of 75 National Leaders for Youth 2000*, Washington DC, 1988. Youth 200 Initiative, National Leadership Forum Activities, Washington D.C., 1986-89.

YWCA San Francisco/ Marin/ San Mateo. The Next Generation Award *For Outstanding Service to Women and Girls*, April 24, 1990.

High School Achievements: 1959 National "Make-It-With-Wool" Winner; 1959 National Thespian Society, Idaho State Debate and Speech Championships; 1958 Idaho Girls State; 1958 National 4-H Club Congress, 1957 Idaho Cherry Pie Baking Champion, National Thespian Society, & Syringa Girls' State, 1958.

### **Program Consultation, Workshop Presentations and Training**

American Orthopsychiatry Association Conference, Panelist, "The Dropout Dilemma: Potential for Effective Multi-Disciplinary Intervention," San Francisco, CA, '87.

American Society of Dowsers (ASD) - Conventions, "LodeStar Transformations™ of Samskaras", Lyndonville, VT, 2013, Southwest Dowsing Conference, 2013, and West Coast Conferences, Santa Cruz 2014 & 2016 and the San Jose Chapter, 2015; "Dowse Your Way to Health," Vermont, 1988; West Coast Conference, Santa Cruz, C, 1989. Golden Gate Chapter, "Christmas/Solstice Feast: Group Intuitive Cooking," Golden Gate Chapter, 1995; "Word Dowsing-Key to Better Guidance," Corte Madera, CA, 1998, "The Power of Intention" workshops in Montana, Idaho and California Chapters of ASD, 2006-2009. Published article in Golden Gate Chapter Newsletter: "More than a Christmas/Solstice Feast," 1996.

Annie E. Casey Foundation, National New Futures Institute Trainer, "Methodology for Case Management with School Dropouts and High Risk Youth," Connecticut and Vermont, 1988.

Banks Street College, Trainer, National 6-state Initiative, "Case Management for Teen Fathers," New York, 1984-85.

California Medical Social Workers, Conference Speaker, "Why Teen Pregnancy," Oakland, California, 1980

California Alliance Concerned with School-Age Parents, "Support for Teen Fathers, Health, Education, and Social Services for Teen Parent Families" Santa Barbara, CA, 1985.

California Alliance Concerned with School-Age Parents, Pre-conference Presenter: "School-Based Comprehensive Services for Teen Parents and Other Youth at Risk of Teen Pregnancy and School Failure," Nov 1991.

California Alliance Concerned with School-Age Parents, Workshop Presenter, "Case Management/An Interdisciplinary Approach," Santa Barbara, CA, 1985.

California Association of Social Workers, National Conference on School-Linked Integrated Services, Presented 2-day Workshop on Models of Case-Management, 1990.

California Department of Health, California Adolescent Family Life Programs, Trainer for 29 Sites, "Case Management: An Overview," 1986.

California PTA, Delegate, State PTA Parenting Conference, Monterey, California, 1979.

"Getting to Know Your Intuition," June 14 & July 27, 1998, Montana and ongoing.

Grantmakers in Health, Workshop Presenter: "Foundations and Collaboration," Grantmakers in Health Conference, San Diego, CA, 1994.

Grantmakers on Children and Youth, Workshop Panelist, "How to Establish a Citywide Network to Improve Outcomes for Teen Parent Families," San Antonio, Texas, 1987.

Mathmatica, Training for Illinois and New Jersey State Welfare Departments: Case Management for Teen Parents: Chicago, Illinois. 1987.

Milwaukee Public Schools, Performed Audit Milwaukee School Age Parents Programs, 1985.

Mountain States Health Corporation, Designing State-wide Teen Pregnancy and Parenting Program, Boise Idaho, 1984.

Nampa Public Schools, Technical Assistance to Develop School Programs for Pregnant and Parenting Teens, Nampa, Idaho, 1984.

National Conference on School Dropout Prevention, Workshop Presenter: "Case Management with Youth in California SB 65 School Programs," San Diego, April 1989. Repeated workshop in two subsequent California conferences.

National Organization of Adolescent Pregnancy and Parenting, Conference Presenter, "An Interagency City-Wide Service System Model for Serving Pregnant Teens and Teen Parents," Texas, 1983.

New England Conference on Troubled Adolescents, Conference Speaker, "Case Management for Pregnant and Parenting Teens," Sturbridge, Massachusetts, 1986.

New Leaf Book Store, "Pendulums: Dowsing your Intuition," Larkspur, CA, 5/22/96.

Orange County Teen Parent Network, Trainer, "Making Case Management Work in Orange County," Anaheim, California, 1985.

Oregon State Teen Pregnancy Conference, Speaker, "How to Establish a Community Network to integrate Health, Education, and Social Services for Young Families," Oregon, 1980.

San Bernardino Teen Parent Network, Trainer, "Case Management in San Bernardino County," San Bernardino, CA, 1985.

San Diego City Schools and the County Teen Parent Network, "Designing School-Linked Programs for Pregnant and Parenting Teens," California, 1986.

San Francisco Child Abuse Council, Chaired City Agency Multi-Disciplinary Conference Committee, 1973-74.

Santa Barbara Teen Parent Network, Training in Development of County-wide Service Delivery System for Teen Parents and Their Families, Santa Barbara, California, 1984.

St. Margaret's Hospital Conference on Adolescent Sexuality, Speaker, "Management of Long-Term Counseling Services within a City-Wide Interagency Network," Boston, 1983.

TIDE Conference, California Department of Education-Vocational Education Division, Workshop Presenter, "California Workfare and Teen Parents," San Diego, CA, 1987.

University of California at Berkeley, School of Social Welfare and San Francisco State University - Field Supervisor for Social Work, Counselor and Public Administration Students, 1974-1989.

URSA Institute, Trainer: Adolescent Pregnancy Programs/Data Management, San Francisco, 1984.

US Department of Health and Human Services, Region IV Conference on Adolescent Pregnancy, Speaker and Workshop Facilitator, "Building Effective Coalitions for Action," FL, 1984.

US Department of Health and Human Services, Regions VII, VIII, IX and X Conference, New Perspectives: Monitoring Child and Adolescent Health, Speaker, "Using Data to Justify, Plan and Evaluate Programs," Berkeley, 1984.

US Department of Labor, Presenter, "Teen Parent Employability Programs," Washington, D.C., 1988.

US Office of Adolescent Health, OPHS, Teenage Pregnancy and Prevention: Replication of Evidenced-Based Programs (Tier 1), Panel Chair, Washington DC, July 14-16, 2010.

US Office of Adolescent Pregnancy, US Department of Health and Human Services, Trainer for Grantees, Miranda Associates, Inc., Trainer for Staff and Grantees, Wash., D.C., 84-85.

US Office of Adolescent Pregnancy, US Department of Health and Human Services, Grant Reviewer, 1999-2007, Trainer for Grantees, "The TAPP model and Its Replication," Wash., D.C., 2006.

US Office of Adolescent Pregnancy, US Department of Health and Human Services, Trainer for Grantees, "The Network: Systems Level Case Management," Wash., D.C., 1985.

US Office on Women's Health, Office of Public Health and Science, Office of the Secretary, Department of Health and Human Services, Grant Reviewer: Coalition for a Healthier Community, Washington DC, September 7-9, 2010.

### **Organizations and Boards**

American Civil Liberties Union (ACLU), 2016-present.

American Council of Hypnotist Examiners (ACHE), March 30, 2013 CHT.

American College of Traditional Chinese Medicine (ACTCM), Board of Directors, 1995 to 1999

American Society of Dowsers, 1987 – 2011, Life Member; ASD Vision Committee, 2013-present.

Idaho Society of Dowsers, President 2011-present.

Association of Comprehensive Energy Psychology (ACEP), 2013-Present.

Association for Transpersonal Psychology (ATP), 2013-Present

Balboa School-based Health Clinic, Co-founder and Advisory Board, 1985-88.

Balboa-San Miguel Parent and Infant Center, Co-founder and Advisory Board, 1980-88.

California Alumni Association, UC Berkley, #931605, 1966-present.

California Alliance Concerned with School Age Parents, Board of Directors, 1979-1987, Past President, 1985.

Center for the Study of Empathic Therapy, Education & Living, Member 2013-present.

Energy Kinesiology Association (EnKA®), Member 2014-present.

Echohawk Estates Homeowners Association, Eagle, Idaho, President, March, 2014-November, 2015.

Foundation Consortium on School-Linked Services, Co-founder, Vice-Pres & Exec Committee, 1990-1996.

Friends of the Bitter Root, Hamilton, Montana., member, 2000-2003.

Geothermal Resources Council, member, 2007-2009.

Herb Research Foundation, member, 1994-1998.

Institute of Noetic Sciences (IONS), 1994-Present, Community Representative of Montana Chapter, Community Presentations in Boise, SF Bay Area and Montana, funder of research projects.

ISSSEEM International Society for the Study of Subtle Energy and Energy Medicine Member, 1996-present.

Marin County Alcohol and Drug Abuse Advisory Committee to the Marin County Board of Supervisors, April 1996-98.

Marin Montessori Corporation, Board of Directors, 1975-1978 and President, 1977-1978.

National Association of Social Workers (NASW), 1968-present.

Ozark Research Institute, Inc. 2013-present.

PsychoNeuroImmunology Research Society (PNIRS), member 2013-present.

San Francisco Delinquency Prevention Commission, 1981-88.

San Francisco Maternal Child and Adolescent Health Advisory Board appointed by SF Board of Supervisors, 1983-1986.

San Francisco SAN FRANCISCO CHILD ABUSE COUNCIL, Board of Directors, 1974-1977.

San Francisco School-Based Health Clinics Task Force, Chair, 1984.

San Francisco Task Force on Positive Parenting, Co-Chair, 1978-1981.

Sierra Club, 1966-1977, 2016 to present.

Southern Poverty Law Center, 2016-present.

Valley County Geothermal Energy Team, Member, 2006-2009.

Valley County Pathways, Inc. Member 2005, President 2008, and Board of Directors 2006 - 2010.

WindSong Property Owners Association and WindSong Community Dock Association, Cascade Lake, ID, Co-founder, Positions have included Board Member and Secretary Treasurer, 1998 - Present.

Women's Voices for the Earth, Montana, Member, 2000-2009.

### **Professional History**

Earth Water Alliance<sup>SM</sup>, Inc., Co-founder and President 2016-present.

LodeStar Transformations<sup>TM</sup>, LodeStar Hypnotherapy<sup>TM</sup>, and LodeStar DreamWork<sup>TM</sup>, Founder, Trainer, Writer, and Clinical Hypnotherapist. Currently practices metaphysical and transpersonal hypnotherapy for recovery support, educates healing arts professionals to incorporate these methods into a variety of clinical and self-care approaches. 2012-Present.

WindSong LLC, Inc., Managing Partner, Consultant, Hypnotherapist, Trainer, Grant Reviewer and Writer, 1997 - Present.

Stuart Foundations, Program Officer – Funded projects to improve outcomes for children, youth and families, and prevent teen pregnancy. Portfolio included public-private partnership collaboration, research and evaluation, 1989-1996. San Francisco, CA.

Marin Creative Options, Inc., Consultant, 1980-89, President and CFO, 1989-2000. Mill Valley, CA.

The East Bay Community Foundation. Director, ECHO - Expanded Complementary Health Outcomes: Foundation Strategies for Serving Children, Youth and Families, January, 1997-1999. Oakland, CA.

San Francisco Unified School District (SFUSD), School Social Worker and Program Administrator, 1967-89:

- Coordinator and Social Worker, Special Service Centers for Pregnant/Parenting Teens, 1967-1972.
  - Elementary School Social Work Services, 1972-1978.
  - Field Supervisor for Social Work, Counselor and Public Administration Students, 1974-1989.
  - Developed and Coordinated the SFUSD Child Abuse Program, 1975-1980.
  - Pre-Kindergarten Program, Social Worker, 1979-1981.
  - School Program Quality Review Monitor, "Effective Schools," 1984-87.
  - Developed and coordinated with the San Francisco Family Service Agency, the Teen-Age Pregnancy and Parenting Program (TAPP), a 36-partner inter-agency comprehensive case-management system for teen parents and their families, 1981-89. This included writing grant proposals funded by: US Office of Adolescent Pregnancy Demonstration Programs 1981-1992, U.S. Departments of Education and Labor, School Dropout Demonstration, 1987-89, California Department of Social Welfare, GAIN Teen Program for AFDC School Dropouts and Teen Parents (Cal-Learn) 1988-89, California Department of Education - "Infusion of parenting and child development curriculum into district-wide middle and high school core curriculum," 1987-88, California Department of Education "LAPSIT" in partnership with Public Library, 1988-89, and Miranda Lux Foundation, Apple, and Koret Foundation 1988-89.
- 
- Developed training materials and facilitated the replication of this model program in 45 California communities

of the California State Department of Health's Adolescent Family Life Program, 1984-2009. Additionally it was replicated in several states including the Illinois and New Jersey State Welfare Departments and Terry Reilly Health Services with the Nampa Public Schools, Idaho. The teen father program became a national model featured on Good Morning America and Phil Donahue. It was replicated in a six-state initiative, 1983-87.

San Francisco Department of Child Welfare, Child Protective Services, 1966-1967.

San Francisco Juvenile Court, Probation Officer, June - September, 1965, Summer + Internship Placement 1964-65.

Downey VA Neuropsychiatric Hospital, Social Work Assistant, Downey, Illinois 1963-65.

[REDACTED]  
[REDACTED]  
November 5, 2018

American Society of Dowers  
184 Brainerd St.  
PO Box 24  
Danville, VT 05828

**RE: Documentation Request**

***Sent via U.S. Mail, Certified, Return Receipt #7018068000061185998 and via email to [tick@dowers.org](mailto:tick@dowers.org), [Leedra@dowers.org](mailto:Leedra@dowers.org), [r.louise@dowers.org](mailto:r.louise@dowers.org), [mark@dowers.org](mailto:mark@dowers.org), [d.arseneau@dowers.org](mailto:d.arseneau@dowers.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 be 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.

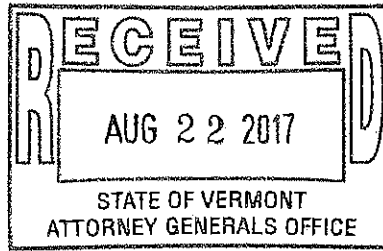
I am requesting that ASD provide this information to me no later than **November 26<sup>th</sup>, 2018**. Information may be sent electronically to my email [REDACTED] or provided in hard copy and mailed to me. If the requested information cannot be emailed or sent via hardcopy or electronic, then we 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



  
August 16, 2017

Attorney General TJ Donovan  
Vermont Attorney General's Office  
109 State Street  
Montpelier, VT 05609-1001

RE: Violations of the Charitable Organization and other Laws by the American Society of Dowsers

*Sent via U.S. Mail, Certified, Return Receipt Number 70161370000228745182*

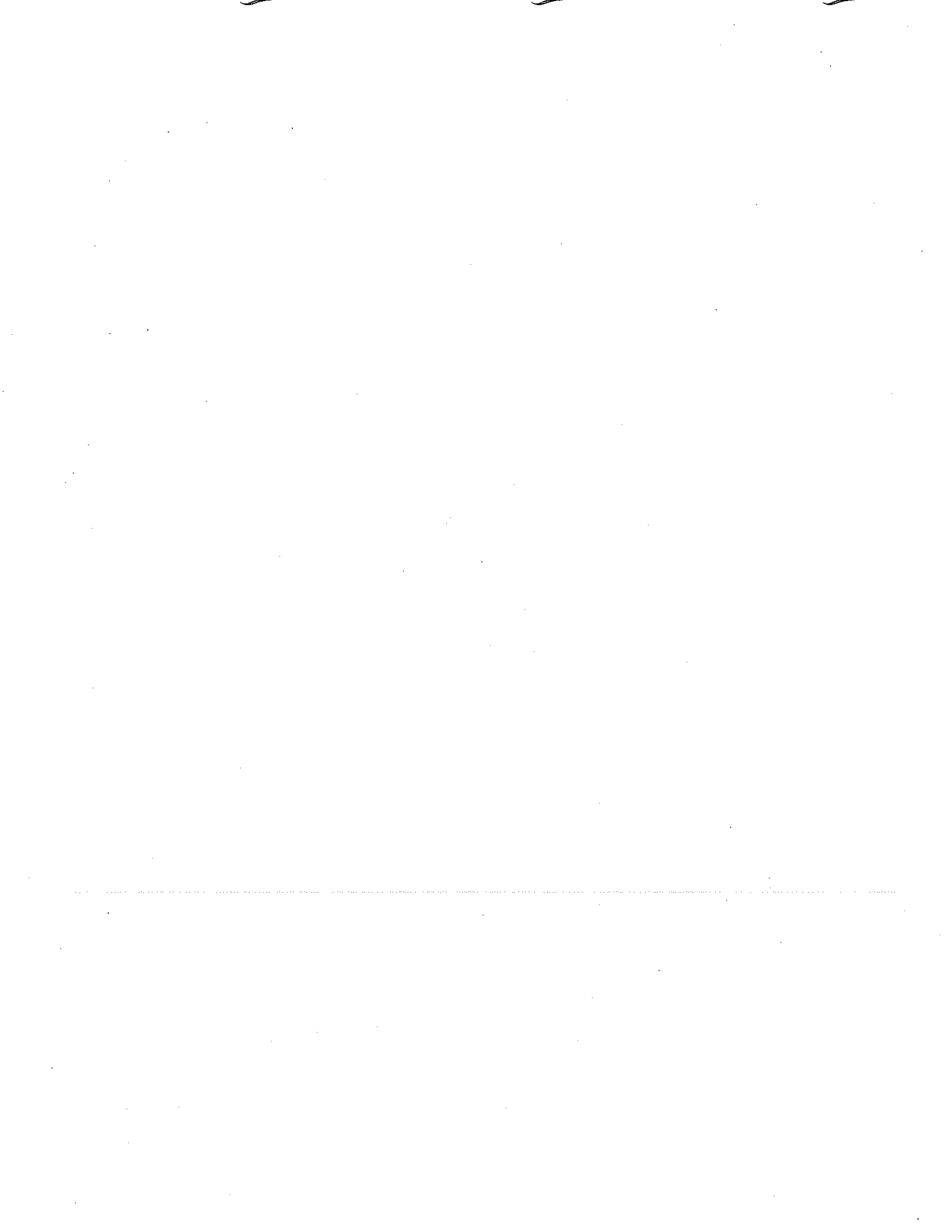
Dear Attorney General:

We represent an ad hoc group of current and former members of the American Society of Dowsers ("ASD"), PO Box 24, Danville, VT 05828. This is a 56 year old non-profit membership organization incorporated in Vermont in 1961. We believe that there is an open investigation of the ASD pending with your office. We wish to supplement the information in that investigation with further documentation and ask your help to investigate these violations.

For years, the Board of Trustees has not followed the Vermont Nonprofit Corporations laws or its own by-laws. When members have brought up the issues, they have had their memberships terminated (without due process in accordance with the organization's Bylaws or regulations). We believe the ASD Board members have violated regulations related to charitable organizations, donations, and other State laws; and we believe there are other financial irregularities. Members who raise issues are retaliated against and have had their memberships terminated, including life memberships that cost thousands of dollars. Those charged are not allowed due process even though it is required in the by-laws and under Vermont non-profit laws. Most have no idea what the charges are for nor will the Board reply to requests asking what the individuals are charged with violating. Numerous issues were brought up during an internal audit last year, however, the ASD Board did not want to look at financial irregularities concerning trust funds and bank accounts that were expressed by past CPAs and members.

Attached are ethics charges brought against eight Board members based on some of the more serious issues that were identified in a short period of time. We believe this is the tip of the iceberg. The charges were filed almost two months ago with the ASD Board and the Board has taken no action regarding these charges and continue to violate their own bylaws and State laws. The Board now is taking further retaliatory action against those speaking up and chapters supporting those who have had their memberships terminated or who have experienced other retaliatory actions. We have tried to speak to Board members, written to the Board, emailed, called, and filed these charges and to date cannot get the ASD Board to act or even respond regarding the violations of State laws and bylaws.

Therefore, we are requesting your help as numerous violations of State law fall under your jurisdiction and we believe there may be additional infractions. Please investigate these statutory violations and help us turn the organization around. We cannot keep quiet and ignore the flagrant disregard of bylaws and laws and the harm to long term members. We do not know



where else to turn to stop them from breaking the law and continuing in this manner. We have attached a copy of the most recent charges for your information.

Please contact me (Dreama Brower) if you have any questions at [REDACTED] or Janis Fallon, Esq. (who coordinated the attached complaint charges against eight Board members) at [REDACTED]. We would be happy to speak with the appropriate person in your office or set up a conference call with several members of our group if that would help provide you with background and details. We truly appreciate your assistance. We, Dreama Brower and John Serino have been authorized to sign on behalf of the members and former members listed below.

Sincerely,

*Dreama L. Brower*

Dreama Brower, former ASD Member  
(ASD Board terminated membership without due process)

*John M. Serino*

John Serino, former ASD Member and Danville Dowsers Chapter President  
(ASD Board terminated membership after the Danville Chapter heard and cleared another member of charges following the process required by the ASD's by-laws)

On behalf of:

Janis Fallon

Bill Getz

Holly Richardson

Bob Richardson

Kathy O'Reilly

Melina Vieux

Merrill Cook

Cherine Chagnon

Glen Johnson

Mary Fitzgerald

Barbara Herzog McMaster

Lorna Reichel

David Roddy

Susan Blackstone

Bruce Irwin

Laney Record

Susanne Dillon



Rebecca Gurland

Marilyn Gang

Dreama Brower

Don Black

Amy Loomis

Steven Herbert

John Serino

Jennifer Anderson

Marty Cain

Sandee Mac

Bill Bonnell

Dan Prater

Jean McDonald

Dreama Brower

Lisa McCrory

Attachment



336 Bulson Road  
Troy, NY 12180  
June 14, 2017

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

RE: Ethics Charges

*Delivered by email to [asd@dowers.org](mailto:asd@dowers.org), [president@dowers.org](mailto:president@dowers.org), [asdvcepresident@dowers.org](mailto:asdvcepresident@dowers.org),  
[asdrecorder@dowers.org](mailto:asdrecorder@dowers.org), [asdsecretary@dowers.org](mailto:asdsecretary@dowers.org), [asdtreasurer@dowers.org](mailto:asdtreasurer@dowers.org),  
[leeann@dowers.org](mailto:leeann@dowers.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 any 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,

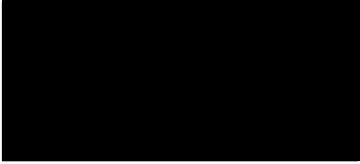
A handwritten signature in cursive script that reads "Janis E. Fallon, Esq." The signature is written in black ink and is positioned above the typed name.

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



Susanne Dillon



Laney Record



Holly Richardson



Kathy O'Reilly



Marilyn Gang



Melinda Vieux



Merrill Cook



Cherine Chagnon



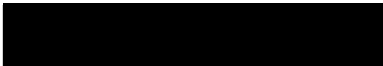
Glen Johnson



Mary Fitzgerald



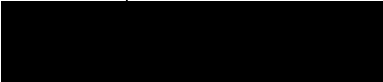
William Getz



Barbara Herzog McMaster



Lorna Reichel



Rebecca Gurland



**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 complaint 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<sup>1</sup>. 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

---

<sup>1</sup> 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 27<sup>th</sup>, 29<sup>th</sup> 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 a 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<sup>2</sup>. 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.

---

<sup>2</sup> 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<sup>3</sup>. 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.

---

<sup>3</sup> 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<sup>4</sup>. 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.

---

<sup>4</sup> 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<sup>5</sup>. 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.

---

<sup>5</sup> 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 from 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 a 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 violation 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 charges 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 opportunity 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 27<sup>th</sup>, 29<sup>th</sup> 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<sup>6</sup>. Ms. Potter states that this is a breach of ethics, which also reflects

---

<sup>6</sup> 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 a 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.



## COMMITTEES - Water For Humanity Fund Committee

### 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 27<sup>th</sup>, 29<sup>th</sup> 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<sup>7</sup> 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. Herbert'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. Herbert. 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.

---

<sup>7</sup> 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 a 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 a 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 a 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 am invoking my rights for this charge to first be taken up and decided by my local chapter 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)<sup>8</sup>. 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 to 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

---

<sup>8</sup> 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 24<sup>th</sup> 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<sup>9</sup>, 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 Statute 14A<sup>10</sup>, §3416, §§110(d), 405, 413 and 813 requires that a specific gift given for a specific purpose must be used 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.<sup>11</sup>

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

---

<sup>10</sup> 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)

<sup>11</sup> 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 fund 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 WFHF 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 exist 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.

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 Subdivisions 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 Dowseers Trust Fund**

The ASD Bylaws Chapter XI established a trust fund called the American Society of Dowseers 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.



January 15, 2015

Ms. Sandee Mac  
[REDACTED]

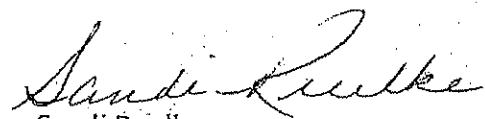
Dear Ms. Mac:

At a Board Meeting of the Trustees on September 16, 2014, you were given an additional 75 days to respond to ethical and misconduct charges that were leveled against you by other members of The American Society of Dowsters. You have failed to respond to these charges, as a result, pursuant to Chapter XV, Section 2 of the American Society of Dowsters, Inc. By-laws, the trustees have reviewed the information and voted to rescind your membership in the Society for two years as of December 17, 2014.

You are hereby directed to remove any reference to your association with ASD from any and all of your business materials, publications and websites.

You are free to reapply for membership in two years.

Yours truly,

  
Sandi Ruelke  
Secretary

c: Electronic Copy & Hard Copy  
Bucknam & Black, PC





American Society of Dowsers

**As National President of the American Society of Dowsers, I 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, 2014**

**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 longer 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 those 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 years will prove to be too much of a burden for us to bear. The American Society of Dowsers was founded as a member-driven organization of service to Humanity. We ask you, and all of us, as members to work and dowsse 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

---


My notes regarding telephone conversations with ASD Trustee Keith Shaffer, on:  
January 27<sup>th</sup> 2016  
January 28<sup>th</sup> 2016  
February 3<sup>rd</sup> 2016  
and one voice mail February 2<sup>nd</sup>, 2016

Keith Shaffer called me, possibly in response to emails I had sent to the ASD Board of Trustees protesting the illegal, malicious, harmful and unnecessary firing of Steve Herbert. I knew who Keith Shaffer was, but had no interaction with him in the past. These calls to me came out of the blue.

He speaks here about:  
Steve Herbert  
Adhi Two Owls  
Sandee Mac

I am putting Keith's words in BOLD and BLUE:

---

  
Keith Shaffer has called me 3 times:  
January 27, around 9:30 a.m.  
January 28 around 9:30 a.m.  
February 3 around 8 pm - am not totally certain of the time, that time is pretty close

Keith Shaffer's statements to me during those calls:

**Marty Lucas resigned as co Vice President  
Because of Adhi Two Owls**

**The Executive Committee meets tomorrow (Thursday) at 2 pm  
I guarantee she will be thrown out by the next meeting  
If she is still in I want her to resign  
She puts it off and puts it off**

(He addressed her delaying and not handling Susan Spuhler's request to come back in and run for Trustee, that she won't deal with that because Susan is in her backyard. I said I thought she lived in North Carolina, he said she moved to Connecticut. And that the situation with Spuhler will upset her business.)

**I made a mistake about the money I told you Steve took. It wasn't \$1300. It was \$2400. Sandee Mac made the bookkeeper write him out a check for \$1000 with no specifics. To save her butt he got a 1099.**



He is putting out brochures with 2 different amounts of money

Its all 2 owls fault for waiting until the last minute

But now she's on facebook trying to get the pagans to follow her

Because she's losing the ASD.

That's why all this shit is kicking off, because she's not doing her job

I got Sandee Mac out she'll be a lot easier

I had charges against her and they were not bogus

The executive committee meets tomor 2

guarantee she will be thrown out by the next meeting

if she is still in I want her to resign

she puts it off and puts it off

Sandee Mac made the bookkeeper write him out a thousand dollar check  
with no specifics

to save her butt he got a 1099

They are putting out brochures w 2 different amounts of money

Its 2 owls fault for waiting till the last minute

now shes on fb trying to get the pagans to follow her

cause she's losing the asd

thats why all this shit is kicking off cause she's not doing her job she's not  
opening her out

I got Sandee Mac out she'll be a lot easier

I had charges against her and they were not bogus

This is the text of the voice mail message that Keith left for me on February 2<sup>nd</sup>,  
2016:

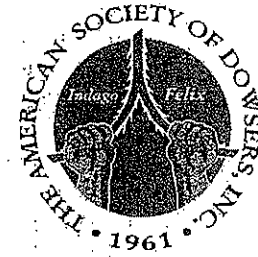
Keith Shaffer. Hey Marilyn there ARE no charges against Steve Herbert.  
They're retiring him.

And Brother Kimpton is the one that founded Water For Humanity and Steve  
took it over. So they're retiring him.

Submitted to: Janis Fallon, June 5<sup>th</sup>, 2017 by Marilyn Gang

# The American Society of Dowsers

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



Dated: August 4, 2016

p. 1 of 6 (includes attachment)

To: Daniel Prater non-member of ASD  
Michelle Hicks  
Steven G. Herbert  
Jose Cueto non-member of ASD  
Frankie Hutton  
Jean McDonald  
Jennifer Anderson  
Amy Loomis advisor  
Dreanna Brower coordinator or advisor  
Don Black non-member of ASD  
Susanne Dillon former Chair of Raffle  
C: Sandee Mac non-member, former President

To All Listed Above:

This is to formally notify you that several ethical charges have come forth because of your written actions and behaviors as part of the Water for Humanity Fund working group as either voting committee members or advisors and/or coordinators where your participation has been documented in numerous emails, minutes, and telephone conferences. As most of you are well aware, the internal audit conducted recently validated the need to process these charges by members and the Board so everyone can move forward and put this behind us. For those of you who are not current members, your action and/or failure to act on this notice may influence your ability to re-join should you so decide to do so in the future. We all would like to close this unfortunate chapter in ASD's history and continue to expand the knowledge and use of dowsing.

There are three main areas in which the ethical complaints are centered and these are summarized in the attachment labeled, "*Summary of Ethical Charges Derived from the 2016 ASD Audit Report.*" In brief, these are the following:

- Charges against Steven G. Herbert.  
Falling into five categories -- 1) Conflicts of Interest; 2) Failure to provide documents for legal document retention; 3) Abuse and/or misuse of power and misconduct relating to tax deduction receipts; 4) Misconduct specifically applying for grants for the purpose of drawing a personal salary from ASD and non-performance; 5) Misconduct in repeatedly working against several Boards of Trustees in their effort to properly administer the WFH Fund.
- Charges against The Water for Humanity Fund Committee and working group.  
Misconduct, mismanagement, and failure to report ethics violations to the ASD Board of Trustees including formally filing complaints against Board Members and Staff that are unsubstantiated.

(over)

The WFHF Committee and advisors even failed to reply to requests for evidence and for the names of those responsible for the complaint. The By-Laws Chapter XV, Section 2 (c), (3), ratified by ballot in 2013, state that, "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."

- Charges against former President Sandee Mac. (This portion is only applicable should Ms. Mac reapply for membership. It will be added to the list of outstanding complaints against Ms. Mac presented to her during her term as president in 2014.) Abuse of authority in granting a Life Membership to Steven Herbert. The By-Laws state that Life Memberships may only be granted by the membership with the exception that past presidents may be granted life memberships if they conclude their membership in good standing. There is no record of Ms. Mac making any payment to cover the cost nor any paperwork indicating payment was made.

The BOT wants very much to bring these items to closure and if you have evidence that any statements made regarding your written materials and actions have not been recorded properly, please respond in writing no later than August 25, 2016 and mark your response to my attention.

Thank you, in advance, for your cooperation in helping us bring this to closure.

Yours truly,



Martin Lucas  
President

Enclosure: Summary of Ethics Charges Derived from ASD 2016 Internal Audit.

## Summary of Ethics Charges

Derived from the  
2016 ASD Audit Report

- 1) Steve Herbert:
  - a) Conflict of Interest, over many years. This charge related specifically to Chapter XV, Section 3 of the By Laws: "(3) Personal activities prejudicial to the best interests of the Society, including placing personal interests ahead of those of the Society". Rationale: Steve Herbert had, for years (certainly since at least 2007) used Advanced Graphic Communications of Littleton, NH, for his graphics design and printing needs. However, Advanced Graphic Communications is owned and operated by Gail Kimball, who is Steve Herbert's sister. There are receipts and payments for limited quantities of printed documents, which are repeated soon after, rather than to buy an initial quantity that would meet all anticipated needs. This resulted in a greater cost for ASD (WFHF), but the use of the company, as their sole supplier (with no competing bids) is a conflict of interest in that it directly benefits Steve Herbert's sister. During its October 2015 Committee meeting, the WFHF Committee acknowledged this "conflict of interest", but failed to notify the Board of Trustees of the ethics issue, as required by the ASD By Laws. Although it is impossible to determine if Steve personally benefited, it is certain that his immediate family did.
  - b) Failure to provide documents to ASD HQ for document retention, in accordance with ASD Document retention policies, IRS regulations, and Vermont State Law. This charge related specifically to Chapter XV, Section 3 of the By Laws: "(3) Personal activities prejudicial to the best interests of the Society..." PPM Section regarding Document Retention and Destruction, beginning on page 22 of the March 3, 2014 PPM. RATIONALE: Steve Herbert has, on several occasions, been directed by the ASD BOT, to turn over all documents that he has regarding any ASD work product, to include all files from the WFHF. During the previous year, Steve has delivered to ASD HQ a number of CD-ROMs and USB Thumb Drives containing documents; however, a bulk of the documents are not signed originals, but Microsoft Word documents. In either case, the ASD Policy and Procedures Manual, in addition to IRS regulations (See IRS Revenue Procedure 98-25; 1998-1 C.B. 689). Although documents in electronic format were found during the audit, it was clear that many documents were not available. Correspondence from Amy Loomis (see Audit Report Appendix D) states, "there are no originals because everything is done by electronics", yet several weeks after this statement Steve Herbert brought into ASD HQ 5 boxes full of hard copy records (after the audit cut off period), clearly indicating that hard copy files do exist. There has been no indication that additional files will be forthcoming, so we must assume that additional files exist. Extensive email

2) WFHF Committee:

- a. Misconduct, Mismanagement, failure to report ethics violations to the ASD BOT, and filing complaints that could not be substantiated. Specifically, their involvement in the development of the WFHF/ASD MOU; their failure to comply with the ASD Policy and Procedure Manual sections regarding Document Retention and Destruction; failure to provide oversight and compliance to ASD By Laws and PPM by the WFHF Committee Secretary. RATIONALE: In its October 2015 meeting minutes, they readily identify that a conflict of interest has existed due to the WFHF Secretary using a graphics firm owned by his sister for all of his work. Despite this knowledge, the WFHF Committee failed to bring this ethical lapse to the attention of the Board of Trustees. As noted in item 1e above, the WFHF Committee must have known that their Secretary had written a draft MOU that in effect would declare their autonomy, in violation of the ASD By Laws, PPM, and founding documents, to the detriment of the larger Society. Perhaps one of the more egregious ethical concerns is the complaint filed by the WFHF treasurer on behalf of the Committee (the complaint being filed against Annette Weis and Lisa Lacoss); in general, the complaint involved effort to try to gain additional information regarding the donation of a number of healing crystals. In their zealously to file charges, the WFHF Committee made accusations that the Board of Trustees members "violated the confidentiality" of one of their donors (among other things), and violated the "Volunteer Protection Act"; in addition, the WFHF Committee made accusations that they were being slandered as a result of the communications that sought to clarify details about the donation. The audit found that none of the statements made in the complaint could be substantiated; in addition, it would certainly seem that the intent of the complaint was to deflect the Board of Trustees from performing the management functions that were their responsibility as Trustees of the Society. In yet another concern, the WFHF Committee made no efforts to ensure that their Committee was in compliance with the ASD Document Retention and Destruction requirements; there is no indication that they made any efforts to be in compliance with any ASD Policies and Procedures.

3) Sandee Mac:

- a. Abuse of authority, specifically, granting of a Life Membership to Steve Herbert. The By Laws are clear regarding the granting of a Life membership, it is only the membership who may grant this. There is one exception to this, and that is past Presidents are granted a life membership if they conclude their membership in good standing. In the case of Steve Herbert, there is no record or indication that any vote was taken regarding the granting of a life membership, an honorary membership, nor is there any indication that a vote was taken by the Board of Trustees.

August 25, 2016

Attn: Martin Lucas, President

The American Society of Dowsers

PO Box 24

Danville, VT 05828

Re: Formal Notification of Ethics Charges dated August 4, 2016

Mr. Lucas:

I hereby deny each and every allegation in your letter of August 4, 2016 that was mailed to me August 11, 2016 via USPS standard mail delivery. I further deny each and every previous allegation that you reference in this document as well as the unlawful "taking" of my life membership. This is also in reference to your allegations that I illegally gave Steve Herbert a Lifetime membership without approval.

I hereby request a copy of your errors and omissions insurance policies that covered me during this entire time as an elected ASD Board of Trustee. I request representation of all insurance carriers and copies of the notices requested of them.

I hereby place you on notice that I believe the American Society of Dowsers has not followed proper procedures in regards to these ethics charges as specified in Article XV, Section 2 of the ByLaws and, I thus am invoking my rights for this charge to first be taken up and decided by my local chapter head and RVP in accordance with these ByLaws.

Please provide me notice of who is designated to receive all service of process in all litigation involved in this matter.

Sandee Mac

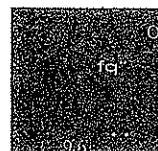
Past President,

American Society of Dowsers

# The American Society of Dowsers

PO Box 24, Danville, Vermont 05828 (802) 684-3417 fax: (802) 684-2565

OCIETY



January 15, 2015

Ms. Kate Whitefield

Dear Ms. Whitefield:

On October 31, 2014, you resigned from your leadership positions and committees of The American Society of Dowsers. As a result of the manner in which you resigned, you have been charged with misconduct under Chapter XV of the ASD by-laws for the following reasons:

- (1) Making unsubstantiated and defamatory claims against other members of ASD in your resignation letter;
- (2) Improperly using ASD's social media sites to make your unsubstantiated claims;
- (3) Misusing ASD staff to distribute your resignation letter; and
- (4) Failing to return ASD documentation for which you were responsible, including meeting minutes.

The Board of Trustees has voted to allow you fourteen (14) days to submit a written response under oath to these charges. At that time, the Board of Trustees will review the charges and any response you choose to make and decide on a course of action. You will be expeditiously informed on the Board's decision.

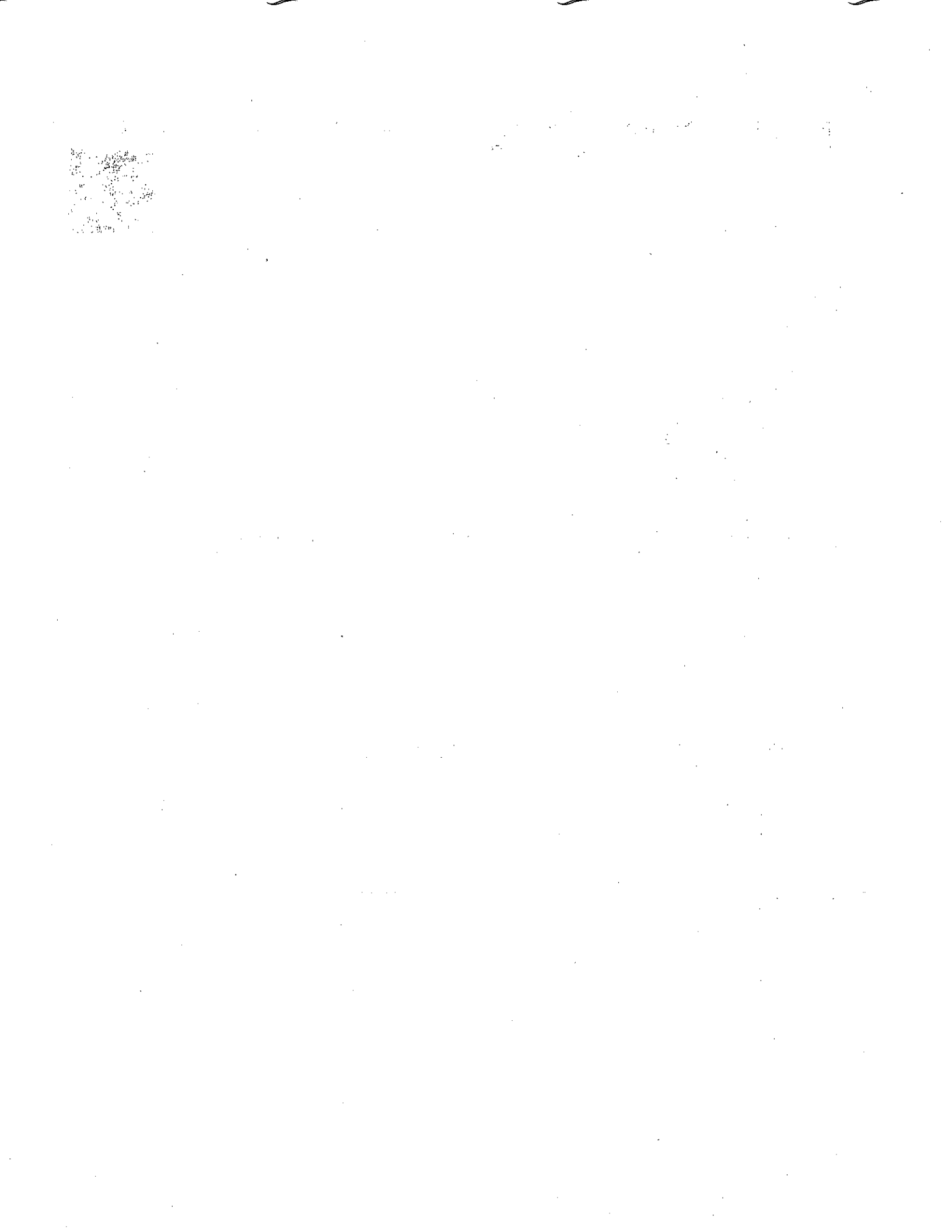
Yours truly,

A handwritten signature in cursive script, appearing to read "Ruelke".

Sandi Ruelke  
Secretary

c: electronic copy & hard copy  
Bucknam & Black, PC





# The American Society of Dowsters

PO Box 24, Danville, Vermont 05828 (802) 684-3417 fax: (802) 684-2565



March 4, 2015

Lisa McCrory



Dear Lisa:

We are in receipt of your letter dated January 27, 2015. The Board is exercising its authority under Chapter XV, Section 2(c)(1) and (3). The mass resignation of Trustees in the manner in which it was done is a crisis situation that has left the organization in jeopardy. You have failed to respond to the charges as set forth, so the Board of Directors has proceeded under Chapter XV, Section 2(c)(4) and (5) accordingly. The Board of Directors has voted to terminate your membership in the American Society of Dowsters. You may reapply for membership on March 5, 2017.

Yours Truly,

A handwritten signature in cursive script that reads 'Sandi Ruelke'.

Sandi Ruelke  
Secretary



January 27, 2015

Mrs. Lisa Lacoss; Assistant Operations Manager  
American Society of Dowsers  
184 Brainerd St, PO Box 24  
Danville, VT 05828

Re: Response to Mrs. Ruelke's letter dated January 15, 2015

Dear Mrs. Ruelke, ASD Secretary,

This will acknowledge your letter of January 15, 2015.

Chapter XV of the Bylaws is precise as to the procedure required to be followed to confer authority upon the BOT in this context.

If it is the BOT's intention to assert a Grievance or Complaint against me, then I request that the BOT observe and follow the Bylaws, to the letter, which clearly set conditions which must be met before the BOT may have authority to act.

Upon receipt of a written Grievance or Complaint "taken" to the Chapter President (or the appropriate RVP), as set out in Section 2 of the Chapter, I will then exercise my best effort to resolve the matter. If no resolution, the additional resolution process to follow is clear. Then, and only then, may it go to the BOT.

Until these conditions are observed, I remind you that the BOT has no authority to act.

Indago Felix,

A handwritten signature in black ink, appearing to be 'Lisa McCrory', written over a horizontal line.

Lisa McCrory





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





May 18, 2016

**To:** ASD BOT, Disbanded & Former Water for Humanity Fund Committee and Members of ASD  
**From:** The ASD Executive Committee  
**Date:** June 5, 2016

Dear Dowzers:

It is with **profound** regret that we must reply in public to Trustee Jean McDonald's resignation that has been distributed throughout segments of the membership. The Executive Committee can no longer be silent in tolerating the malicious and destructive information circulating around on the ASD rumor mills. Many members remember Jean as the woman who fumed and embarrassed herself at her first annual meeting in 2015 and this behavior has continued. It is indeed unfortunate that a few members within ASD and some no longer with organization have never learned to check for facts before contributing to the spread of unsubstantiated accusations and misinformation. Ms. McDonald's resignation is a perfect example of the rumors and lies that have been circulating without anyone taking the time to verify information. This type of misinformation has been a cancer that has eaten at the heart of our Society.

Taking a non-confrontational road has allowed these rumors to take on a life of their own. After the mass resignation of five trustees in late 2014, it became very apparent that ASD needed to take steps to become more accountable and bring its operations into the modern world. However, when any attempt to educate or inform was taken, it was met with great resistance and accusations of 'attacks.' Anyone, past or present, who attempted to look at the issues, bring them forward, and resolve them has been painted with 'negative energies.' This has been going on for too long. Records indicate that some of these problems, and specifically those with WFH, go back to the late 1990's and again around 2008. It is time for some light to enter ASD and its Water for Humanity project and have these issues resolved once and for all.

As a Board we have attempted to avoid this type of public, factual rebuttal. All the traditions teach that there reaches a point where truth and fact must be known to all. This latest letter mandates that we reply for the sake of the individuals who have become unknowingly embedded with these rumors as well as for the hundreds of other loyal members who support the purpose of ASD.

On-going conflicts with the Water for Humanity Fund Committee have caused a number of Trustees including a president to resign over the last 11 months. When the

May 18, 2016

accusations and misstatements presented by the WFHF Committee and its advisors were countered with facts; the leadership of the Committee resigned as well. Several members of the WFHF Committee members have also resigned. At no time have any of the Committee leaders, members, or their advisors ever retracted their erroneous charges or apologized to the Board, the individuals, or to the membership for the damage they caused. Quite the contrary, the pattern has continued.

To go through Ms. McDonald's letter line-for-line citing her errors in fact, judgment, and/or memory, i.e., "7 potential lawsuits?" 6 being a majority of 13, one person committees; "changes in policy," the "probation" that never happened and was never asked about until May 2016; not to mention the lack of information on meetings given regarding the removal of Steven Herbert from an administrative position with honors, would takes us pages. We could even explain how WFHF is NOT an all volunteer committee and that its expenses continually exceed 10-20%, but we leave that for the audits.

It is important to remember that Ms. McDonald's letter is written from the perspective of Trustee with only 11 months on the Board where on numerous meetings she was either absent, walked out, or hung up. She was asked to take a leave to allow time to learn more about the Society because of making false accusations against her fellow Board members and disrupting Board meetings. When her email was hacked, she went without email communication for months. She refused to use alternative email options. In addition, she allowed her membership to lapse without renewal and it was two weeks after her membership was terminated that she was reinstated.

As the Executive Committee of the Board, we prefer to move everyone **forward** and answer the questions posed at the end of Ms. McDonald's resignation letter to shed some of the needed light:

1. The detailed ballot results for all eight of the 2015 By Laws changes were provided in written format to Jean McDonald on June 12, 2015 by Annette Weis with a follow-up email by Marty Lucas, then Chair of the By Laws Committee. This is the same committee Ms. McDonald said she wanted to be a member but never participated in the meetings even though notifications were sent.
2. No one ever asked for the numerical ballot results for the candidates they are still available and in a sealed carton signed by several ballot counters.
3. The Trust Fund was discussed at length during a recorded meeting and the amount given was around \$800. The idea that the amount had to be kept secret was

May 18, 2016

dispelled by Kevin O'Brien and several others. Ms. McDonald was the one who came up with \$20,000 but would not reveal from whom.

4. On October 15, 2015, Ms. McDonald appeared to have resigned from the Finance Committee but then reappeared. The answers to this question are found in the budget her committee created with no secret changes.

5. No amendments have been made to the 2016 Budget.

6. To date, the 2016 Convention has spent 15% of its budget.

7. A total of \$150 was spent on the attorney to review the WFHF Harassment Complaint against Annette and Lisa and accusatory resignation letter from Daniel Prater, former Chair of WFHF. It took the attorney very little time to render an opinion on both. These opinions were supported by an additional, non-ASD, attorney who also advised we consider individual or group civil actions against those who participated in such writings as a way of preventing similar trouble in the future.

ASD does use a CPA firm for our tax returns. No auditor has been hired. Two members have volunteered and contributed hours and hours of time, energy and resources. Not even expenses have been reimbursed. The only volunteer who has been paid both as an independent contractor and an employee with benefits and had expenses routinely reimbursed has been the former Secretary of the WFHF Committee.

8. One action item approved by the Exec. Committee on Nov. 29, 2015 was to have Steven G. Herbert step aside with honor for all his years of service from an administrative position on the WFHF Committee by June 2016. Ms. McDonald was a liaison with the committee and admits she was informed of this immediately. If she pleaded with Adhi Two Owls to have the Exec. Committee reconsider the decision, no such request ever came to any of us. We can only suggest it be worked out between the two of them. A second action item was to approve spending up to \$1,500 for converting the website to Word Press. This was reported at the next regularly scheduled BOT meeting.

Point of Information: According to our by-laws, all employees both paid and unpaid work for the Office Manager. When the Secretary of WFHF Committee charged our Office Manager with harassment, this became an employment issue and required immediate action to protect both parties. When the charges proved spurious, it was within the rights of ASD to IMMEDIATELY dismiss the Secretary of the WFHF and remove his membership. We did not do that.

9. Lifetime Membership can certainly be revoked - especially given the circumstances of the departures. But why doesn't anyone mention that all five of the Trustees were told they were welcome to re-apply in February 2017? After the notification of the two year removal of membership, there has not been one reply,

May 18, 2016

verbal or written, from any of the individuals involved. They did not contest the decision.

10. If they professed to be a legitimate chapter, you tell us and we'll do it.

11. Financial reports are submitted nearly every month by the Treasurer. What member has been denied financial information? Please, **for once**, give us some details so a problem can be solved instead of festering.

With Ms. McDonald's resignation accepted at the BOT meeting on May 31, 2016, we wish her well in her future endeavors and may she find peace.

Respectfully,

*The Executive Committee*

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



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 dowers!!!

Thank you,

Jean McDonald

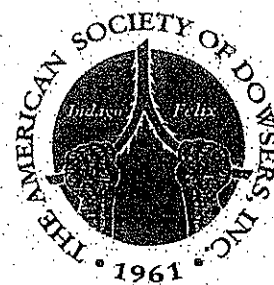





# The American Society of Dowsers

PO Box 24, Danville, Vermont 05828 (802)684-3417 Fax: (802)684-2565

[www.dowsers.org](http://www.dowsers.org) [asd@dowsers.org](mailto:asd@dowsers.org)



January 13, 2017

Dreama Brower  


Dear Ms. Brower,

On August 4, 2016, the President of ASD, Martin Lucas, provided you with a notice of ethical violations as set forth in an internal audit conducted by the organization. In the letter, you were granted a period of time to respond to those charges with evidence to the contrary. Since you have failed to provide the requisite evidence in the timeframe provided, the Board of Directors was obliged to evaluate the charges and evidence contained in the audit. The Board found that you violated the ASD Code of Ethics set forth in Chapter XV, Section 1 of the ASD by-laws. As a result, the Board of Directors voted in November 2016 to terminate your membership pursuant to Chapter XV, Section 2(c)(4) of the ASD by-laws..

You may re-apply for membership in two years.

Very truly yours,



Martin Lucas  
President

CC: Attorney



1951  
1952  
1953  
1954  
1955  
1956  
1957  
1958  
1959  
1960  
1961  
1962  
1963  
1964  
1965  
1966  
1967  
1968  
1969  
1970  
1971  
1972  
1973  
1974  
1975  
1976  
1977  
1978  
1979  
1980  
1981  
1982  
1983  
1984  
1985  
1986  
1987  
1988  
1989  
1990  
1991  
1992  
1993  
1994  
1995  
1996  
1997  
1998  
1999  
2000  
2001  
2002  
2003  
2004  
2005  
2006  
2007  
2008  
2009  
2010  
2011  
2012  
2013  
2014  
2015  
2016  
2017  
2018  
2019  
2020  
2021  
2022  
2023  
2024  
2025

From: Lee Ann Potter <leeann@dowsers.org>  
To: Rebecca Gurland [REDACTED]  
Cc: Board of Trustees <bot@dowsers.org>; Manager Lisa Lacoss <lisa@dowsers.org>  
Sent: Friday, July 22, 2016 1:24 PM  
Subject: Re: resignation letter

Rebecca,

I find a number of your comments troubling.

First, in resigning, you very likely did not choose to resign for any of the same reasons that anybody else did; as a member who tends to watch the happenings of the Board very close, your participation in the activities of the Board appeared to be minimal. Even when one of your assigned duties was responding to internet queries regarding the convention, I wound up answering the majority of them, you either seemed to be unable to find the answers or did not know who to ask. Before you make such a comment, you should at least learn the reasons why others have left.

Second, you should not confuse anybody with ANY information regarding Steve Herbert. I, and MANY OTHERS, INCLUDING MEMBERS OF THIS BOARD, do recognize that valuable work that Steve has done over the years in his efforts to supply water resources to those in need. However, your comments reflect your apparent unwillingness to READ the Audit Report, which very clearly document the issues associated with Steve - issues that were not a one off, but systemic issues that have existed for a long time, and which nearly all ASD leaders and WFHF Committee leaders FAILED TO CORRECT. It was at the point that the ASD attorney believes that many of Steve's activities put ASD's VT Non-Profit status and 501(c)3 status in jeopardy. None of this was due to any action on the part of the current Board, this was all a direct result of Steve and his actions. You can certainly choose to support him, but please do not expect others to do so; what I found INCREDIBLY offensive at convention were the items worn by MANY people stating that "I SUPPORT STEVE HERBERT AND THE REAL WATER FOR HUMANITY". Here is why that offended me: The BOARD had made it very clear that Water for Humanity would remain, after some level of organization/reorganization, and Water for Humanity is in the situation that it is in very specifically because of Steve's actions. So they are truly stating that they want incompetent management, because their "friend" Steve is in charge of it. While I get the loyalty to Steve, I am not sure that I understand the desire to allow Steve to do whatever he feels he wants, to the detriment of ASD as a whole.

As for your statement regarding many long term members leaving because of this, I would have to say fine, those are probably NOT the people who I would want in the organization anyway. But again, you are factually incorrect; I, as well as Lisa and other members of the Board, have heard, repeatedly, that the Audit "needed to be done for some time now", members are renewing their memberships for longer, past members are now coming back, and some members are now becoming life members instead of doing an annual renewal. That's right, membership is actually picking up, in large part because there is a Board to Trustees in place that is actually

addressing many of the long term systemic problems of the organization, and making those hard business decisions that have needed to be made. And they are NOT using "passion" as their guiding light for any of this work, they are using sound business principles.

You should also not, in any way, confuse "Water for Humanity" with "Earth Water Alliance", they have no real similarity to each other. "Water for Humanity" is a committee founded under the auspices of the American Society of Dowsters; they have funded over \$300,000 in project to provide water to a variety of people throughout the world, but more importantly, they have emphasized the use of dowsing as the means to find that water (in many cases). The Committee ostensibly formed under democratic principles, and was accountable to a much larger membership of ASD. "Earth Water Alliance" is responsible and accountable to nobody; they have no foundation in democratic principles; and they are shamelessly using Steve to get money for efforts that they have yet to define. Amy Loomis told me herself that they had no intention of using Steve (other than as an occasional UNPAID consultant), as they have seen the problems that he has been responsible for. As an Idaho non-profit, one of their first actions was to file a complaint against ASD with the VT Attorney General's Office, because of "ASD's unwillingness to provide funds from WFHF", something that ASD could not legally do. And I am negating any thought that their actions are very likely a breach of ASD's ethics; they formed their own non-profit, using information gained largely from WFHF efforts, and then tried to take advantage of that by extorting funds from ASD by filing a complaint with the VT Attorney General to fund their non-profit.

The Audit very clearly highlighted communications and "secrecy" issues surrounding the Board of Trustees, and as a group we are addressing all of those concerns. Many have not wanted to volunteer for the organization because of the incredible number of management issues that have existed, but it is our hope that with the increase in membership that is occurring, and the trust in the efforts of the current Board, that more members will want to be volunteers. Not because somebody has "passion", but because the organization is willing to make the hard management decisions needed to demonstrate that we believe the organization should survive, and grow.

I thank you for your service in the past, but it is now time to move on. You can choose to either live in the past, or move forward with the organization, but it is your decision.

Lee Ann Potter

On Thu, July 21, 2016 12:45 pm, Rebecca Gurland wrote:

- > American Society of Dowsters Board of Trustees and Membership
- > I have appreciated being elected and representing
- > you on the ASD board of trustees for the past year. This has given me the
- > opportunity to meet and get to know many members in this role- mostly
- > pleasant encounters, sometimes not so. In resigning from the trustee
- > position, I join more than 20 trustees and active, long-time members, as

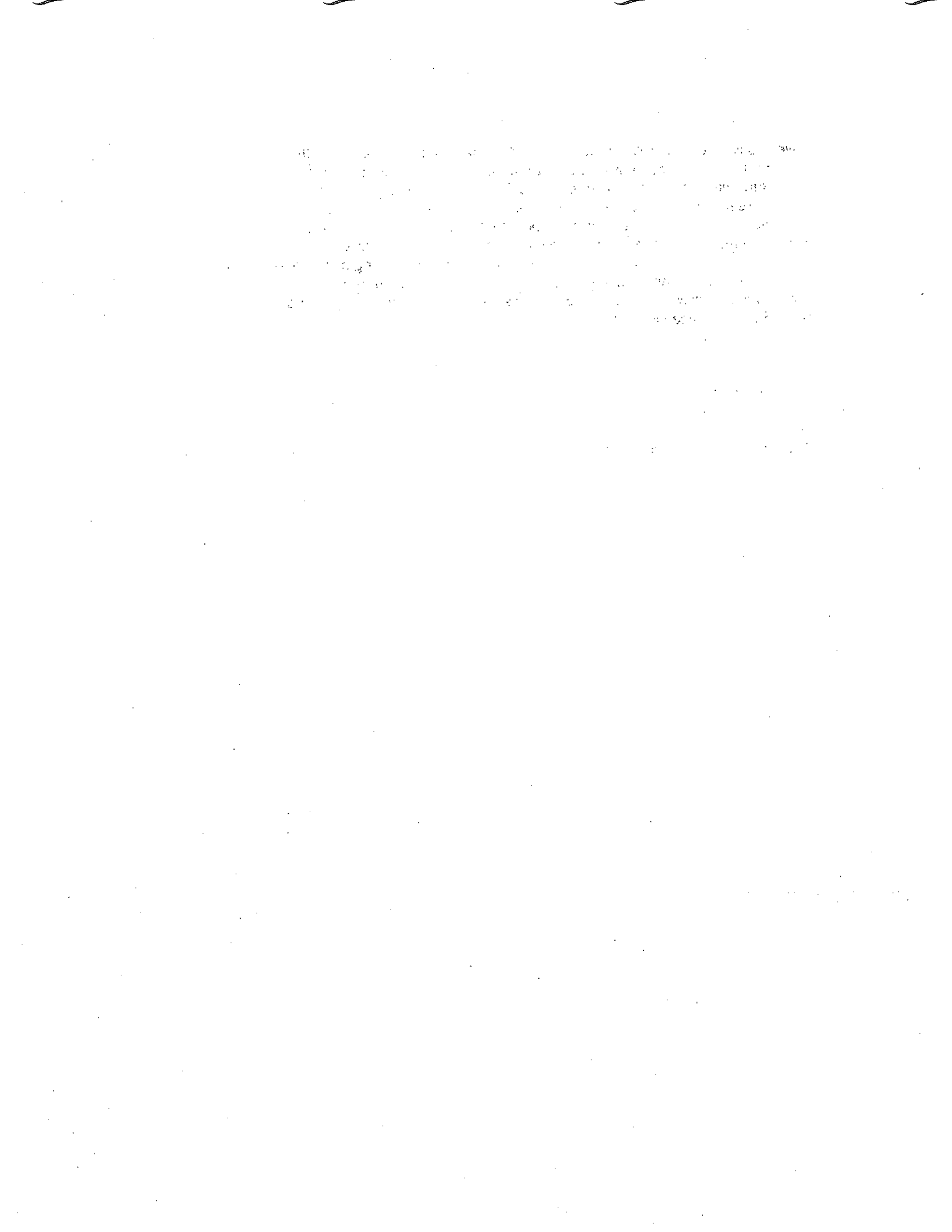
> well as two ASD presidents, who found that they could not work with the  
> present executive committee. As a supporter of Steve Herbert and the Water  
> for Humanity Committee, (then later the Earth Water Alliance), I have  
> not agreed with the decisions or manner of dealing with people and  
> issues. I cannot accept the actions taken by this board. There has been  
> talk of wanting members to volunteer for committees, yet there's a  
> serious lack of communication, encouragement and welcoming of new ideas,  
> as I have discovered personally. I sincerely do hope to see the present  
> board move forward in openness and alliance with the highest good for all  
> of ASD. Rebecca Gurland

--

Lee Ann Potter  
Trustee

American Society of Dowrsers





July, 20, 2016

American Society of Dowsers Board of Trustees and Membership

I have appreciated being elected and representing you on the ASD board of trustees for the past year. This has given me the opportunity to meet and get to know many members in this role; these were mostly pleasant encounters, sometimes not so. In resigning from the trustee position, I join more than 20 trustees and active, long-time members, as well as two ASD presidents, who found that they could not work with the present executive committee.

As a supporter of Steve Herbert and the Water for Humanity Committee, (then later the Earth Water Alliance), I have not agreed with the decisions or manner of dealing with people and issues. I cannot accept the actions taken by this board. There has been talk of wanting members to volunteer for committees, yet there's a serious lack of communication, encouragement and welcoming of new ideas, as I have discovered personally. I sincerely do hope to see the present board move forward in openness and alliance with the highest good for all of ASD.

Rebecca Gurland

Faint, illegible text at the top of the page, possibly a header or title.

Second block of faint, illegible text, appearing as a paragraph or list of items.

Third block of faint, illegible text, continuing the content from the previous section.

Fourth block of faint, illegible text, possibly a concluding paragraph or signature area.

Fifth block of faint, illegible text at the bottom of the page.

4/17/2017



To whom it may concern,

I am writing this as a former trustee of ASD (2016-2017) and friend and co-worker of Steve Herbert. Knowing Steve to be one of the most ethical and conscientious people I've ever met, I attempted to understand the spiteful, emotionally charged negative feelings I heard toward him and Water for Humanity. From the first weeks of being on the board, I was told of the plan to re-do WFH; there was never any rational that I could fathom for this. From closed board meetings to board emailings I was personally appalled by some on the executive committee's "nastiness", and not just to Steve. I recall that they spoke of how the Policy and Procedures Manual, with Ethics policy section, could be changed without member ratification. I am not surprised that there was not any "due process" followed by ASD executive committee.

Sincerely,  
Rebecca Gurland

1. The first part of the document discusses the importance of maintaining accurate records of all transactions and activities. It emphasizes that this is essential for ensuring transparency and accountability in the organization's operations.

2. The second part of the document outlines the various methods and tools used to collect and analyze data. It highlights the need for consistent data collection procedures and the use of advanced analytical techniques to derive meaningful insights from the data.

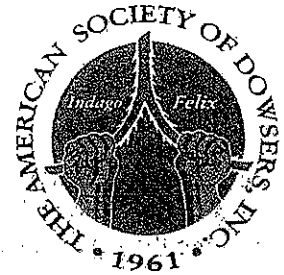
3. The third part of the document focuses on the role of technology in data management and analysis. It discusses how modern software solutions can streamline data collection, storage, and processing, thereby improving efficiency and accuracy.

4. The fourth part of the document addresses the challenges associated with data management, such as data quality, security, and privacy. It provides strategies to mitigate these risks and ensure that the data remains reliable and secure throughout its lifecycle.

5. The fifth part of the document concludes by summarizing the key findings and recommendations. It stresses the importance of ongoing monitoring and evaluation to ensure that the data management processes remain effective and aligned with the organization's goals.

# The American Society of Dowsers

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



January 30, 2016

Dear Members,

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 its 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.

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.

Adhi Two Owls  
Marty Lucas  
Sandi Isgro  
Sandi Ruelke  
Annette Weis  
Kevin O'Brien



The first part of the document discusses the importance of maintaining accurate records of all transactions. It emphasizes that every entry should be supported by a valid receipt or invoice. This not only helps in tracking expenses but also ensures compliance with tax regulations. The second part of the document provides a detailed breakdown of the company's revenue streams, categorized by product line and geographic region. This analysis allows management to identify areas of high performance and those that need further attention. The final section outlines the budget for the upcoming fiscal year, detailing projected expenses and the strategies to be implemented to stay within budget. It also includes a risk assessment of the various financial and operational factors that could impact the company's success.

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.

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.

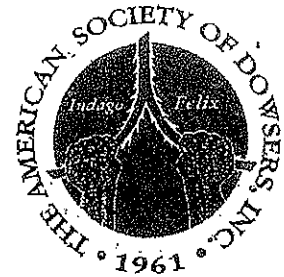
In apparent frustration Dan Prater, the WFHF Committee Chairman and President of Southeast Michigan Dowsers has reported his chapter has terminated its' affiliation with ASD; effective immediately. While we regret the decision of his chapter to leave, their decision will not change the decision of the 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.

# The American Society of Dowzers

PO Box 24, Danville, Vermont 05828 (802)684-3417 Fax: (802)684-2565  
[www.dowzers.org](http://www.dowzers.org) [asd@dowzers.org](mailto:asd@dowzers.org)



Dear Members,

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 its 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.

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



via Certified Mail

Steven G. Herbert

August 23, 2016

Attn: Martin Lucas, President  
The American Society of Dowsers  
PO Box 24  
Danville, VT 05828

Re: Formal notification of ethics charges dated August 4, 2016

Mr. Lucas:

I hereby deny each and every allegation in your letter of August 4, 2016 which was mailed August 11, 2016 via USPS standard mail delivery.

I hereby request a copy of the ByLaws and Policy and Procedures Manual, with any approved and adopted amendments to either, that were in effect during the periods for which the charges pertain including each and every year in which I was a member of ASD. I am requesting a copy of all Minutes of Board Meetings for the periods for which the charges pertain as well as all minutes for the periods in which I was a member, any and all evidence the Board believes can be used against me, and any and all exculpatory evidence that the Board is in possession of.

Additionally, I hereby request a copy of your errors and omissions insurance policy. As I believe I am covered under this policy, I am requesting representation by the insurance carrier.

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 am invoking my rights for this charge to first be taken up and decided by my local chapter head in accordance with these ByLaws.

Please provide me notice of who is designated to receive all service of process in all litigation involved in this matter.

Respectfully,



Steven G. Herbert

**U.S. Postal Service™  
CERTIFIED MAIL® RECEIPT**  
Domestic Mail Only

For delivery information, visit our website at [www.usps.com](http://www.usps.com)

DANVILLE VT 05828

Certified Mail Fee \$3.30  
 Extra Services & Fees (check box, add fee for each extra service)  
 Return Receipt (hardcopy) \$0.00  
 Return Receipt (electronic) \$0.00  
 Certified Mail Restricted Delivery \$0.00  
 Adult Signature Required \$0.00  
 Adult Signature Restricted Delivery \$0.00

0703  
05

Postmark  
Here

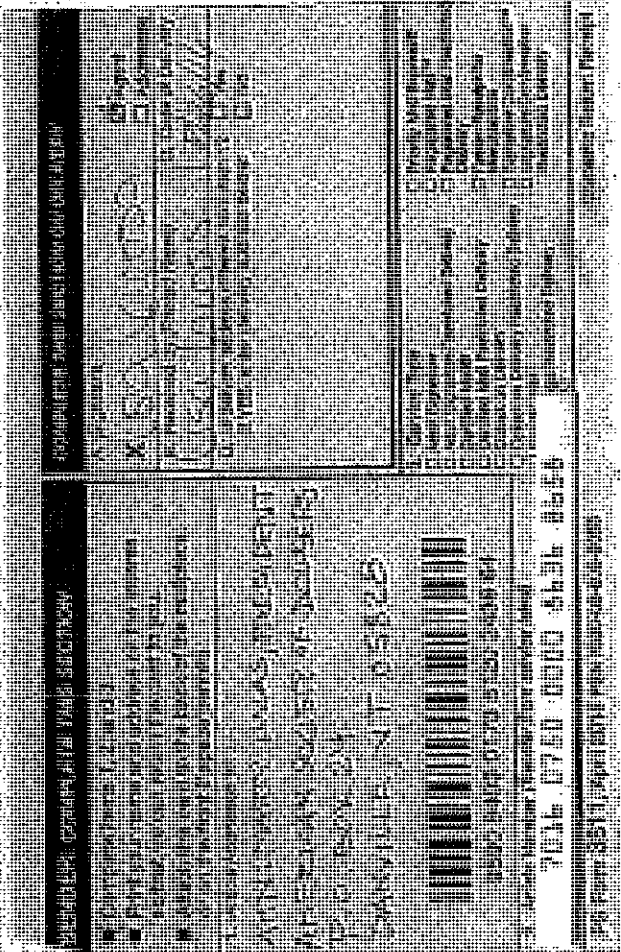
Postage \$0.47  
 Total Postage and Fees \$0.47

08/24/2016

Sent To **MARTY LUCAS / 46 AM, SOL OF DOWSEAS**  
 Street and Apt. No., or P.O. Box No. **P.O. BOX 29**  
 City, State, ZIP+4® **DANVILLE, VT 05828**

PS Form 3800, April 2013 PSN 7530-02-000-9047 See Reverse for Instructions

7016 0750 0000 8636 8658



SAINT JOHNSBURY  
 1153 MAIN ST RM 100  
 SAINT JOHNSBURY  
 VT  
 05819-9998  
 5067200703  
 08/24/2016 (800)275-8777 4:53 PM

Product Description	Sale Qty	Final Price
First-Class Mail Letter (Domestic) (DANVILLE, VT 05828) (Weight: 0 Lb 0.50 Oz) (Expected Delivery Day) (Friday 08/26/2016)	1	\$0.47
Certified (USPS Certified Mail #) (7016075000086368638)	1	\$3.30
Return Receipt (USPS Return Receipt #) (9590940301733120243964)	1	\$2.70
<b>Total</b>		<b>\$6.47</b>
Cash		\$6.50
Change		(\$0.03)

\*\*\*\*\*  
 BRIGHTEN SOMEONE'S MAILBOX. Greeting cards available for purchase at select Post Offices.  
 \*\*\*\*\*

Text your tracking number to 28777 (2USPS) to get the latest status. Standard Message and Data rates may apply. You may also visit [USPS.com](http://USPS.com) USPS Tracking or call 1-800-222-1811.

# The American Society of Dowzers

PO Box 24, Danville, Vermont 05828 (802)684-3417 Fax: (802)684-2565  
[www.dowzers.org](http://www.dowzers.org) [asd@dowzers.org](mailto:asd@dowzers.org)



January 13, 2017

Steven Herbert  
[REDACTED]

Dear Mr. Herbert,

On August 4, 2016, the President of ASD, Martin Lucas, provided you with a notice of ethical violations as set forth in an internal audit conducted by the organization. In the letter, you were granted a period of time to respond to those charges with evidence to the contrary. Since you have failed to provide the requisite evidence in the timeframe provided, the Board of Directors was obliged to evaluate the charges and evidence contained in the audit. The Board found that you violated the ASD Code of Ethics set forth in Chapter XV, Section 1 of the ASD by-laws. As a result, the Board of Directors voted in November 2016 to terminate your membership pursuant to Chapter XV, Section 2(c)(4) of the ASD by-laws..

You may re-apply for membership in two years.

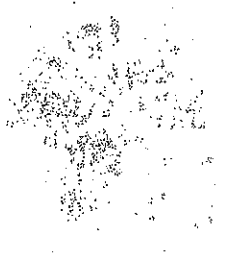
Very truly yours,

A handwritten signature in black ink, appearing to read "Martin Lucas", is written over the typed name.

Martin Lucas  
President

CC: Attorney



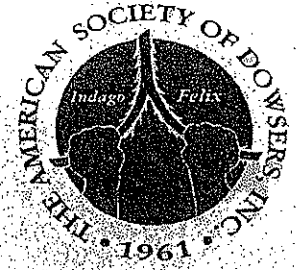


1946

1946

# The American Society of Dowsters

PO Box 24, Danville, Vermont 05828 (802)684-3417 Fax: (802)684-2565  
[www.dowsters.org](http://www.dowsters.org) [asd@dowsters.org](mailto:asd@dowsters.org)



February 28, 2017

Shirley Dillon



Dear Ms Dillon:

Thank you for your letter and your concern. I completely understand your feelings on this matter, but when ethical charges are brought by a member against another or in this case a group, they must be investigated and dealt with.

When you read the audit report and review the published documents concerning this matter, you will understand there were no other options. We needed to investigate the charges, and an accounting was required to ensure the correct procedures were followed.

The procedures followed here were similar to what the various state and national agencies require. These procedures were followed to ensure the highest level of transparency and accountability.

Sincerely,

John H. Dillon, President

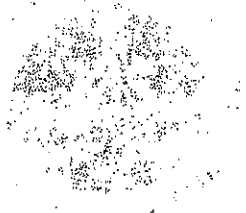
John H. Dillon

John H. Dillon

John H. Dillon

John H. Dillon

John H. Dillon



Handwritten text at the top of the page, possibly a title or header, which is mostly illegible due to fading and bleed-through.

A block of handwritten text in the middle of the page, appearing to be a list or a set of notes.

Another block of handwritten text, continuing the list or notes from the previous section.

A horizontal line of text or a signature across the lower middle of the page.

Handwritten text at the bottom of the page, possibly a date or a final note.

**Subject:** My resignation as WFHF grants management advisor effective January 17th

**Date:** January 4, 2016 at 6:48:13 AM PST

**To:** Adhi Two Owls <adhitwoowls@dowers.org>

**Cc:** WFHFComChair Dan Prater [REDACTED] Michelle Hicks <michellechicks@gmail.com>

WFHFCom Sec Steven Herbert [REDACTED] JEAN MC DONALD

[REDACTED] BOT Jennifer Anderson [REDACTED] WFHFCom Dr. Frankie

Hutton" [REDACTED] WFHFCom Jose Cueto [REDACTED]

To: Adhi Two Owls, President, ASD

I am weary of the fighting and my deep concern about ASD's mismanagement of WFHF. I will be resigning my volunteer role as grants management advisor to WFHF effective January 17th. I dowsed/meditated on this decision and the content of this email and thus am sending it to a rather "complex chain of command."

I have spent several days mulling over the complaint filed by Michelle and Dan as well as the profound disgust expressed with WFHF Committee by Marty in the last BOT meeting, now a matter of public record for the membership. Since he alluded to a policy agreement underway that you were to handle, I realized that this was not his singular opinion but that of other members of the Executive Committee. Further discussion with another Executive Committee Trustee revealed that this is due to "Steve's being a one-man show."

I am attaching the below email to hopefully clarify that this committee has not been a "one-man show." To Steve's credit, ASD has him to thank for keeping WFHF intact after Lisa McCrory and Bill Bonnell resigned. He took on many of their functions. For months the current WFHF committee has been restructuring and sharing more and more of the responsibilities.

My advisory work is almost completed. The Dropbox strategy discussed below is the best evidence of the fact that this group has the ability to restructure themselves and should be given the respect and regard for already doing so.

I am now recommending to you, as well as the BOT and the WFHF Committee, that the PPM needs to address this Dropbox strategy, other minor details, and the revision of the ASD headquarters responsibilities. Although the Annenberg grant paid headquarters to restructure their support to WFHF this never was corrected in the PPM. The PPM needs to include website technical support, computer access, shared responsibility for files, correspondence/newsletter support in addition to the already mentioned bookkeeping support as well as other paid duties to assure its best practices and accountability. Job descriptions at headquarters need to address all WFHF support from the bookkeeper, the clerical staff, the website support, etc. Currently headquarters job descriptions do not mention any WFHF responsibilities and thus no headquarters staff can be evaluated or held accountable.

Until you have a paid part-time position for the tasks identified in the PPM's Secretary position, I do not recommend that you substantially change these functions. The entire fund would likely be in serious jeopardy. Steve has done a remarkable job in a volunteer capacity and, in my opinion, does not deserve the malicious and underhanded approach currently underway to sabotage the committee's work. I suspect that there is ample material for an ethics grievance but I will leave this action to others.

I also recommend that the WFHF Executive Committee and the Trustee Liaisons meet with the ASD Executive Committee to address mutual concerns. There is a cancer festering here that must be addressed. The scandal could potentially destroy WFHF and possibly ASD. Many memberships would be lost. Currently this conflict is seriously affecting the ability of the WFHF Committee to conduct the business of grants management.

This is my view. I am not representing other members of the committee.

My Sincere Commitment to the Highest and Best Good,

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

Begin forwarded message:

**From:** Idaho Dowsers <IdahoDowsers@gmail.com>  
**Subject:** Spreadsheet for Dropbox  
**Date:** January 4, 2016 at 5:38:27 AM MST  
**To:** Michelle Hicks <michellechicks@gmail.com>  
**Cc:** WFHFCom Sec Steven Herbert <waterdowser@hotmail.com>, Dreama Brower <dreama.brower@gmail.com>, WFHFComChair Dan Prater <[REDACTED]>, JEAN MC DONALD <[REDACTED]>, BOT Jennifer Anderson <[REDACTED]>, Don Black <[REDACTED]>, WFHFCom Dr. Frankie Hutton <[REDACTED]>, WFHFCom Jose Cueto <[REDACTED]>, Idaho Dowsers <IdahoDowsers@gmail.com>

Michelle,

Attached is the Draft Spreadsheet that Steve and I have been preparing to maintain on Dropbox so that all of the Committee can see the status of all grants and be better informed. Additional information on Dropbox will be the original proposals and final project reports.

It is not clear yet who will enter the data on some of the columns but since Lisa sends financial information directly to you, you may want to enter the check and debit information. Please review this document, discuss with Steve, and each of you get back to me with corrections, suggestions, etc including who will be responsible for each column.

I am hoping that the Committee can have this and other Dropbox content—including its concomitant grants management—on the agenda for our next meeting. Dreama is working with Steve to set up a workable Dropbox group access and I hope to have this on the next agenda as well. Once we have worked out the kinks on this group committee information, I hope everyone will be able to participate in a more informed and meaningful way in decision-making for grants management.

**Note, this is still a draft.** Steve is still working on some of the information in various columns. Since we each have different versions of Excel and free spreadsheet software we also have some glitches that Dreama needs to help Steve work out as he has hatch marks in some of the columns. (Dreama, would you talk to Steve about this and see what can be done? Thanks in advance!) I am copying all the committee in case others want to comment.

All, thanks for your time!!!

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

**From:** Idaho Dowsers <idahodowsers@gmail.com>  
**Subject:** Fwd: My resignation as WFHF grants management advisor effective January 17th  
**Date:** January 4, 2016 at 7:00:07 AM PST  
**To:** Kevin [REDACTED]

Kevin, this is a heads up because of your oversight of financial matters for ASD. This is the spreadsheet I referred to but did not attach to the other email for confidentiality reasons. I do want your feedback on it. I think having all of this material on Dropbox will help immensely.

I have not yet decided about my future participation on the grant writing committee. Jean, Dreama and I are writing something for you to include in the PPM if you wish, and I will finish that before making a decision as to what else I can do. I look forward to discussing any of this with you. Dreama and Jean have a lot of skill for grant writing and I hope that they will carry on. Dreama has an idea for improvements to headquarters accessing sustainable green technologies.

Attachment WFHF Grants Management Draft Spreadsheet

via Certified Mail & Email

August 25, 2016

Attn: Martin Lucas, President  
The American Society of Dowsers  
PO Box 24  
Danville, VT 05828

Re: Formal Notification of Ethics Charges dated August 4, 2016

Mr. Lucas:

I, Amelia Beth Loomis, hereby deny each and every allegation that may be asserted either directly or tangentially toward me in your letter of August 4, 2016, which was mailed August 11, 2016 via USPS standard mail delivery from Des Moines, Iowa.

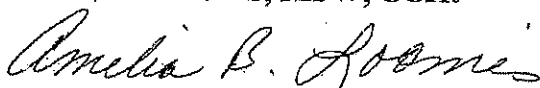
I hereby request a copy of the ByLaws and Policy and Procedures Manual, with any approved and adopted amendments to either, that were in effect during the periods for which the charges pertain including each and every year in which I was a member of ASD. I am requesting a copy of all Minutes of Board Meetings for the periods for which the charges pertain as well as all minutes for the periods in which I was a member, any and all evidence the Board believes can be used against me, and any and all exculpatory evidence that the Board is in possession of.

Additionally, I hereby request a copy of your errors and omissions insurance policy. As I believe I am covered under this policy, I am requesting representation by the insurance carrier.

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 am invoking my rights for this charge to first be taken up and decided by my local chapter in accordance with these ByLaws.

Please provide me notice of who is designated to receive all service of process in all litigation involved in this matter.

Amelia B. Loomis, MSW, CCHt



President, Idaho Society of Dowsers





UNITED STATES LIABILITY INSURANCE GROUP  
A BENSHE RE PATHWAY COMPANY

September 30, 2016

VIA EMAIL ONLY at [suedillon4546@gmail.com](mailto:suedillon4546@gmail.com), [waterdowser@hotmail.com](mailto:waterdowser@hotmail.com),  
[idahodowers@gmail.com](mailto:idahodowers@gmail.com), [sandeemac100@gmail.com](mailto:sandeemac100@gmail.com), and  
[dreama.brower@gmail.com](mailto:dreama.brower@gmail.com)

Dreama Brower  
Steven Herbert

Sandee Mac  
Susanne Dillon

Amelia Loomis

Re: Policyholder: American Society of Dowers  
Claimant(s): American Society of Dowers  
Reported: September 29, 2016  
Policy: NDO2005267N  
Effective: 6/4/2016 - 6/4/2017  
Our File: K104909

Dear Ms. Brower, Ms. Mac, Ms. Loomis, Mr. Herbert, and Ms. Dillon:

Mount Vernon Fire Insurance Company acknowledges receipt of correspondence on September 29, 2016, concerning your tender of defense of the ethics charges brought against each of you by American Society of Dowers. We also confirm issuing the above-referenced Non-Profit Professional Liability Policy ("the Policy") to American Society of Dowers. We regret to inform you there is no coverage, either defense or indemnification, under the Policy for the ethics charges filed against you.

While we have not been provided with copies of the ethics charges filed against each of you, those ethics charges have been brought against each of you by American Society of Dowers.

Looking first to "Coverage Part B. Employment Practices Liability", please refer to paragraph A of the Insuring Agreement section in Coverage Part B, which reads:

A. The Company will pay on behalf of the Insured Loss excess of the Retention not exceeding the Limit of Liability for which this coverage applies that the Insured shall become legally obligated to pay because of Claims first made against the Insured during the Policy Period or during any Extension Period, if applicable, for Wrongful Employment Acts arising solely out of an Insured's duties on behalf of the Organization.

"Claim" is defined in the DEFINITIONS section of Coverage Part B., which reads:

B. "Claim" means:

1180 DEVON PARK DRIVE • P.O. BOX 6700 • WAYNE, PA 19087 • 610-688-2535 • 888-523-5545 • FAX 610-688-4391

United States Liability Insurance Company • Mount Vernon Fire Insurance Company • U.S. Underwriters Insurance Company

USLI.COM



- (1) any written notice received by any Insured that any person or entity intends to hold such Insured responsible for a Wrongful Employment Act, or
- (2) any judicial or administrative proceeding initiated against any Insured seeking to hold such Insured responsible for a Wrongful Employment Act, including any proceeding conducted by the Equal Employment Opportunity Commission or similar federal, state or local agency and any appeal therefrom;

A Claim shall be considered first made when the Insured or its legal representative or agent first receives notice of the Claim.

"Wrongful Employment Act", as modified in the Fair Labor Standards Act Sub-Limit Endorsement, is defined:

P. "Wrongful Employment Act" means any actual or alleged act of:

- (1) Discrimination; or
- (2) Harassment; or
- (3) Retaliation; or
- (4) Wrongful Termination; or
- (5) Workplace Tort; or
- (6) negligent violation of the Uniform Services Employment and Reemployment Rights Act; or
- (7) negligent violation of the Family and Medical Leave Act of 1993; or
- (8) negligent violation of state law having the same or substantially similar purpose as the Acts in (6) or (7) above; or
- (9) acts described in clauses (1) through (8) above arising from the use of the Organization's Internet, e-mail, telecommunication or similar systems, including the failure to provide and enforce adequate policies and procedures relating to such use of the Organization's Internet, e-mail, and telecommunication or similar systems;
- (10) violation of the federal Fair Labor Standards Act, any amendments thereto, or the provisions of any similar federal, state or local law regulating minimum wage, working hours, overtime, child labor, record keeping and other matters regulated under the federal Fair Labor Standards Act;

committed or allegedly committed by the Organization or by an Individual Insured acting solely within his/her capacity as such involving and brought by any Employee, former Employee or applicant for employment with the Organization against an Individual Insured because of his/her status as such.

"Wrongful Employment Act" shall also include any actual or alleged act of:

- (10) Third Party Discrimination
- (11) Third Party Harassment

It is further agreed that the same Wrongful Employment Act, an interrelated series of Wrongful Employment Acts or a series of similar or related Wrongful Employment Acts by one or more Insureds shall be deemed to be one Wrongful Employment Act and to have commenced at the time of the earliest Wrongful Employment Act.

"Workplace Tort" is defined:

T. "Workplace Tort" means any actual or alleged employment-related:

- (1) misrepresentation;
- (2) negligent supervision, training or evaluation;
- (3) wrongful discipline;
- (4) wrongful deprivation of career opportunity; or
- (5) failure to enforce written policies and procedures relating to a Wrongful Employment Act.

Coverage Part B provides coverage to American Society of Dowsers for claims brought against American Society of Dowsers by its employees, former employees and/or applicants for employment and it also provides coverage to American Society of Dowsers for claims brought by third parties alleging either third party discrimination or third party harassment. American Society of Dowsers is the Insured organization; it is not a third party. Moreover, American Society of Dowsers is a corporate entity; it cannot be an employee or former employee of itself and it also cannot be an applicant for employment with itself. By definition, American Society of Dowsers cannot assert a "Wrongful Employment Act" against any of you, and it therefore cannot bring a "Claim" against any of you, and there is therefore no possibility of coverage under Coverage Part B for the ethics charges brought against each of you by American Society of Dowsers.

Looking to "Coverage Part A. Non Profit Directors and Officers Liability", please refer to the definition of "Insured" in the Definitions section of Coverage Part A. "Insured" is defined as follows:

H. "Insured(s)" means the Organization and the Individual Insureds.

"Organization" is defined:

I. "Organization" means:

- (1) the Parent Organization and
- (2) any Subsidiary of the Parent Organization.

\*

\*

\*

"Parent Organization" is defined:

- J. "Parent Organization" means the entity named in Item 1. of the Policy Declarations.

American Society of Dowers is the Named Insured, the "Parent Organization", and it is thus the insured "Organization" as that term is defined in the Policy.

Bearing this in mind, please refer to Exclusion G of Coverage Part A of the Policy, which reads:

The Company shall not be liable to make payment for Loss or Defense Costs in connection with any Claim made against the Insured arising out of, directly or indirectly resulting from or in consequence of, or in any way involving:

- G. Any Claim by, at the behest, or on behalf of the Organization and/or any Individual Insured; provided this Exclusion shall not apply to:

(1) any derivative action on behalf of, or in the name or right of the Organization, if such action is brought and maintained totally independent of, and without the solicitation, assistance, participation or intervention of, any of the Insureds; or

(2) a Claim that is brought and maintained by or on behalf of any Individual Insured for contribution or indemnity which is part of or results directly from a Claim which is otherwise covered by the terms of this Policy;

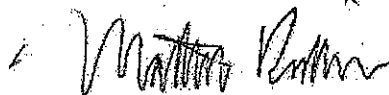
Exclusion G bars coverage for any claim brought by or on behalf of the "Organization" unless either of two exceptions applies. Based upon the letters we have been provided, American Society of Dowers is bringing these ethics charges against each of you of its own volition. There is no indication that anyone these ethics charges against each of you derivatively or that American Society of Dowers is not pursuing these charges on its own behalf. Exception (1) to Exclusion G is inapplicable. American Society of Dowers is the insured "Organization", not an "Individual Insured", and Exception (2) to Exclusion G also does not apply. While we do not mean to imply that the charges against each of you are true or correct, since neither exception applies, and since the charges brought against each of you have been brought by the insured "Organization", Exclusion G bars coverage under Coverage Part A for the ethics charges.

Since no coverage exists for the ethics charges brought against each of you under either coverage part of the Policy, this Company can neither defend nor indemnify any of you in these matters. This determination is based upon all information provided to us. If you have other information you would like us to consider, please send it to me as soon as possible. The contents of this letter should not be construed as a waiver of any other

rights or defenses that this Company has, or may have in the future, under this Policy with respect to this matter.

If you have any questions please feel free to call me at (610) 902-9515.

Very truly yours,



Matthew Rubin  
Assistant Vice President  
Coverage Specialist

cc: Lisa Lacos  
American Society of Dowers  
Via Email

New England Excess Exchange, Ltd.  
Attn: Aaron Young

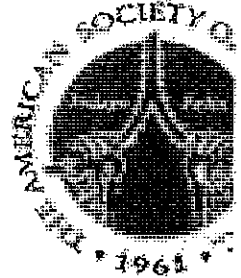
Amanda Hamilton  
Sawyer & Ritchie Agency  
P.O. Box 196  
Danville, VT 05828



Attachment 1 - Letter from Martin Lucas dated January 13, 2017

# The American Society of Dowsters

PO Box 24, Danville, Vermont 05828 (802)684-3417 Fax (802)684-2565  
[www.dowsters.org](http://www.dowsters.org) [asd@dowsters.org](mailto:asd@dowsters.org)



January 13, 2017

Amelia Loomis  
[REDACTED]

Dear Ms. Loomis,

On August 4, 2016, the President of ASD, Martin Lucas, provided you with a notice of ethical violations as set forth in an internal audit conducted by the organization. In the letter, you were granted a period of time to respond to those charges with evidence to the contrary. Since you have failed to provide the requisite evidence in the timeframe provided, the Board of Directors was obliged to evaluate the charges and evidence contained in the audit. The Board found that you violated the ASD Code of Ethics set forth in Chapter XV, Section 1 of the ASD by-laws. As a result, the Board of Directors voted in November 2016 to terminate your membership pursuant to Chapter XV, Section 2(c)(4) of the ASD by-laws..

You may re-apply for membership in two years.

Very truly yours,

Martin Lucas  
President

CC: Attorney

Attachment #2 – Letter from Attorney, 2<sup>nd</sup> page of the Audit.

**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

From: Dreama [REDACTED]

To: BOT <BOT@dowers.org>; asd <asd@dowers.org>

Subject: Resignation from ASD Committee positions and Convention Cancellation

Date: Tue, May 24, 2016 11:01 am

---

Board of Trustees, American Society of Dowers:

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 dowers 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  
[REDACTED]



... ..  
... ..  
... ..

... ..  
... ..  
... ..

... ..  
... ..  
... ..

... ..  
... ..  
... ..

... ..  
... ..  
... ..

... ..  
... ..  
... ..

... ..  
... ..  
... ..

... ..  
... ..  
... ..

... ..  
... ..  
... ..

... ..  
... ..  
... ..

*Dreama Brower*

via Certified Mail

August 24, 2016

Attn: Martin Lucas, President  
The American Society of Dowsers  
PO Box 24  
Danville, VT 05828

Re: Formal notification of ethics charges dated August 4, 2016

Mr. Lucas:

I hereby deny each and every allegation in your letter of August 4, 2016 which was mailed August 11, 2016 via USPS standard mail delivery.

I hereby request a copy of the ByLaws and Policy and Procedures Manual, with any approved and adopted amendments to either, that were in effect during the periods for which the charges pertain including each and every year in which I was a member of ASD. I am requesting a copy of all Minutes of Board Meetings for the periods for which the charges pertain as well as all minutes for the years in which I was a member, any and all evidence the Board believes can be used against me, and any and all exculpatory evidence the Board is in possession of.

Additionally, I hereby request a copy of your errors and omissions insurance policy. As I believe I am covered under this policy, I am requesting representation by the insurance carrier.

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 undated ByLaws published on its website. And, I am invoking my rights for this charge to first be taken up and decided by my Chapter President in accordance with these ByLaws.

Please provide me notice of who is designated to receive all service of process in all litigation involved in this matter.

Further, please note that my official address is at the top of this letter and any and all future communication will not be considered to have been properly served unless it is addressed accordingly.

Respectfully,

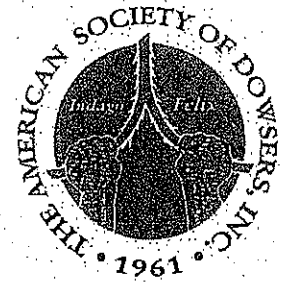
Dreama Brower

cc: ASD Board of Trustees



# The American Society of Dowsters

PO Box 24, Danville, Vermont 05828 (802)684-3417 Fax: (802)684-2565  
[www.dowsters.org](http://www.dowsters.org) [asd@dowsters.org](mailto:asd@dowsters.org)



January 13, 2017

Dreama Brower  
[REDACTED]

Dear Ms. Brower,

On August 4, 2016, the President of ASD, Martin Lucas, provided you with a notice of ethical violations as set forth in an internal audit conducted by the organization. In the letter, you were granted a period of time to respond to those charges with evidence to the contrary. Since you have failed to provide the requisite evidence in the timeframe provided, the Board of Directors was obliged to evaluate the charges and evidence contained in the audit. The Board found that you violated the ASD Code of Ethics set forth in Chapter XV, Section 1 of the ASD by-laws. As a result, the Board of Directors voted in November 2016 to terminate your membership pursuant to Chapter XV, Section 2(c)(4) of the ASD by-laws..

You may re-apply for membership in two years.

Very truly yours,

A handwritten signature in black ink, appearing to read "M. Lucas", is written over a white background.

Martin Lucas  
President

CC: Attorney



Dreania Brower

April 10, 2017

Attn: Martin Lucas, President  
The American Society of Dowsters  
PO Box 24  
Danville, VT 05828

Mr. Lucas:

I am in receipt of your letter dated January 13, 2017 advising that ASD's Board of Directors voted to terminate my membership during a meeting in November 2016. In that letter, you state that I was granted a period of time to respond to charges of ethical violations by providing evidence to the contrary and that I'd failed to provide the requisite evidence in the timeframe provided. Since I mailed my response to your August 4, 2016 letter within the requisite time period, I cannot accept your letter of termination.

In the August 4<sup>th</sup> letter, you appeared to include me in the charges against the The Water for Humanity Fund Committee and working group who were charged with "misconduct, mismanagement, and failure to report ethics violations to the ASD Board of Trustees including formally filing complaints against Board Members and Staff..."

I denied these charges in my response on August 24, 2016 and requested copies of the ByLaws, Policies and Procedures Manual, Minutes of Board Meetings for the periods for which the charges pertain, any evidence the Board believed it could use against me, and any exculpatory evidence of which the Board was in possession.

In order for me to provide "evidence to the contrary" I needed to know exactly what I was being charged with and what evidence the Board of Trustees had to support the charges. I could not defend myself against ambiguous charges of misconduct when I had no details concerning the alleged misconduct. Since I was not a committee member nor in a position of managing the Water for Humanity Fund, I could not defend myself against charges associated with mismanagement. And, since I was not aware of any ethics violations, I could not be expected to have reported any. Accordingly, I requested that the Board of Directors provide me with "all evidence the Board believes can be used against me, and any and all exculpatory evidence the Board is in possession of."

In my letter of denial, I invoked my rights to have the matter brought to my Chapter President in accordance with Article XV, Section 2 of the ByLaws which states: "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 Vice President, the Executive VP and finally to the BOT, who will assemble as the Ethics Committee." Since I was not afforded the opportunity to resolve this matter in accordance with the ByLaws, I hereby contend that your notice of January 13, 2017 is invalid due to the ambiguity of the charges, lack of procedural integrity, and improper conduct on behalf of the current Board of Trustees.

Chapter VI, Section 1(b) of the ByLaws states: "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." I hereby contend that the Board of Trustees who authorized these charges against me are in violation for failure to conduct the business in accordance with the published By-Laws and Policies voted by the Members in a General Meeting.

Finally, I chose not to renew my membership when it expired on December 31, 2016; therefore, your notice of termination on January 13, 2017 was invalid since I no longer had a membership to be terminated.

At this time, I respectfully request that you remove me from your mailing list as well as any email or other contact information you, the Board of Trustees, any employees, or any volunteers maintain.

Respectfully,

  
Dreama Brower

March 9, 2017

To: President Marty Lucas and Members of the ASD Board of Trustees;

I am John Serino, ASD Danville Chapter President. It has come to my attention that in August of 2016, the ASD-BOT lodged a number of grievances and ethics charges against Steven Herbert, a long-standing member of the Danville Chapter. The By-laws of the Society (Article XV, Section 2) mandate that the Chapter President shall initially receive notice of these charges along with the relevant evidence and commence to resolve any issues at hand.

I have been completely left out of this process – a violation of the By-laws. To further this kettle of non-compliance and confusing actions, the ASD-BOT went a step further and terminated the life membership of Steven Herbert in January of 2017.

This action was taken without Steven Herbert being given the chance to defend himself or address his accusers by proper protocol – if truth, justice and honor be the goal of such proceedings and inquiries, this is not in the spirit of ASD as I know it.

I am angered and truly weary of the supposed good and unbiased intentions of the BOT. These incidents of illegal actions and bullying of Steven Herbert have left me to suspect that the so-called charges and violations are likely trumped up, fictitious and will not hold up to any real scrutiny.

I demand that the process begin as from the beginning; that I receive a copy of all charges against Steven Herbert along with the accompanying evidence, and we be given an opportunity to respond to these charges.

The Danville Chapter requests that the BOT reconsider its past actions, review the By-laws, and if you wish to continue, you commence a new grievance procedure by initially notifying me as President of the Danville Chapter.

Your own attorney states the need for an independent and external audit. The fact that one of the auditors is someone who has twice claimed to have diverted demon spells cast at members of the BOT, and has done this publicly on the ASD Facebook page, shows the instability of the people in the situation. There are other documents available to attest to this instability, which shed doubt on the suitability of such a person in this position.

So here is your chance to do the right thing. You were going to give Steven Herbert a lifetime achievement award at the last convention for his years of wonderful service to ASD-WFHF. What happened? You dishonor ASD and yourselves with your petty, biased doings.



Recover your honor by acting honorably, or myself and my chapter may be forced to seek other forms of "Civil" satisfaction.

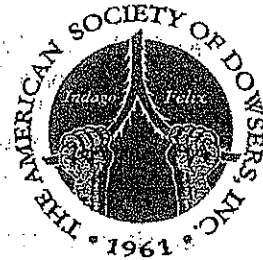
I expect this action to be taken promptly. Our patience and tolerance of you actions has been tested beyond understanding. Respond quickly and do your part to resolve this matter.

Sincerely,

John Serino, Danville Chapter ASD President

# The American Society of Dowzers

PO Box 24, Danville, Vermont 05828 (802)684-3417 Fax: (802)684-2565  
[www.dowzers.org](http://www.dowzers.org) [asd@dowzers.org](mailto:asd@dowzers.org)



March 22, 2017

John Serino  
[REDACTED]

Mr. Serino;

Your letter dated March 9, 2017 raises some significant issues. I will address them in order of importance.

Publishing private correspondence between a member and a chapter officer (from a different chapter) is suspect in and of itself. Whether the addressee is even a member of your chapter is not mentioned. Setting that aside, to question the stability of someone based upon their spiritual beliefs is pure religious bigotry and intolerance.

Bigotry and hypocrisy are common in some organizations, but I thought that the members of our Society were above that, especially those in leadership positions. Do you likewise question the stability of the sincere Christian that believes in the virgin birth and resurrection? Or the Hindu, the Muslim, or Jew? Do you also question the stability of the person who looks for water using only a dowsing rod, or the person who believes crystals have sentience?

*Spiritual intolerance is completely unacceptable in our Society.* I would hope that you issue a public apology to Ms. Potter, copy all the members of your Chapter and others to whom you have distributed your letter, and then resign your leadership position before you further discredit our Society. It is obvious you are uninformed as to the details of the audit report and supporting documentation. You may not like (or may disagree with) what is documented there, but that does not change that the documentation is factual; much of it written in the hand of Mr. Herbert, and reflects his own actions. Likewise, while you report to represent your chapter in this action, your letter was sent without all of your members being made aware or allowing them input.

That said, the audit is fully documented including the correspondence and legal opinions. A review of those documents would be in order before you decide whether our actions were appropriate or not. You will also find that, based upon that audit, an independent, external financial audit was ordered as documented in the Board of Trustee meeting minutes. That audit is in progress now.

As for the Board of Trustees preferring charges; AGAIN, please review the public documentation concerning the issue. The charges were initially brought by members. Since they involved harassment of our employee; it was completely unethical to include you or any other chapters in the actions. (see Robert's Rules of Order and Vermont employment law) The audit reveals a number of other outstanding issues that needed to be addressed as well.

Mr. Herbert received copies of the complaints and ethics charges. He is certainly free to forward them to you. The earliest goes back to February 2016. The only item of communication of any type concerning any of these issues received from Mr. Herbert was a copy of a form letter asking for coverage under ASD's Directors and Officers policy. It is important for you to understand that he made no effort to provide any support, justification, or additional information to any individual on the Board of Trustees, by any means.

At a meeting attended by ten members, including five individuals from the former WFHF Committee, Mr. Herbert verbally agreed (to all present) to provide written permission allowing us to release information pertaining to those items discussed at that meeting. He requested a written statement of those specific complaints and it was given to him within 48 hours. Mr. Herbert never provided a written release; instead Mr. Herbert immediately chose to go into negotiations.

Next, the issue of our actions concerning the member in question: In accordance with the precedent set by previous boards and Robert's Rules of Order (which takes precedence when our own by-laws are unclear), we took the actions needed to protect our Society and preserve our non-profit status. All of our actions were in accordance with the By Laws of the organization.

The Board of Trustees unanimously agreed not to turn the documents over to state or federal authorities because it would reflect negatively on our Society, endanger our non-profit status, and possibly trigger audits of not only the persons involved with the Water for Humanity, but our donors as well. Further action (verbal or written in any form) on this matter will give us no choice but to do so. I doubt if Mr. Herbert would like all the letters where he has written comments about members and past Trustees throughout the years circulated. You may wish to confer with Mr. Herbert before you take further action.

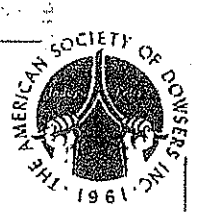
Last, and certainly least: Life Membership can be awarded by a vote of the membership, or by serving as President, or it can be purchased, in accordance with the organization By Laws. Mr. Herbert's Life Membership was never paid for, he was never President, nor did the members vote on it. The internal audit report clearly explained that Mr. Herbert never had a valid Life Membership to lose. No one offered to pay for his membership, nor has the membership been given the opportunity to grant him one either.

I look forward to hearing of your apology to Ms. Potter and to hearing you have resigned as well.

*Marty Lucas*  
Marty Lucas  
President ASD

# The American Society of Dowsers

PO Box 24, Danville, Vermont 05828 (802) 684-3417 fax: (802) 684-2555



March 24, 2017

Mr. John N. Serino  
[REDACTED]

Dear Mr. Serino:

On Sunday, March 19, 2017, ASD received the enclosed document referencing your letter to Mr. Lucas and the Board of Trustees of The American Society of Dowsers, Inc. that was dated March 9, 2017 and received by ASD on March 16.

The enclosed document contains formal ethics charges filed against you by Lee Ann Potter. Please review the charges carefully and provide your written reply dated no later than Wednesday, April 26, 2017. Your response to the charges may be either via email to [bot@dowsers.org](mailto:bot@dowsers.org) or may be addressed to ASD Headquarters, 184 Brainerd Street, PO Box 24, Danville, VT 05828.

Should you need additional copies of either the Internal Audit Report submitted to the membership back in June 2016 or the current ASD By-laws, both are available on the ASD website, [www.dowsers.org](http://www.dowsers.org). It is important to note that any form of retaliation is unacceptable and could be included as part of the investigation.

We anticipate your appropriate and timely response to the charges and hope that this matter can be brought to a conclusion quickly.

Yours truly,

Annette E. Weis  
Corresponding Secretary

encl: 1 - consisting of a total of two pages

cc: BOT

Formal Ethics Charges

Against

John Serino

Reference letter, dated 9 March 2017, from John Serino to Marty Lucas and the ASD BOT.

In his letter, Mr. Serino states the following:

"The fact that one of the auditors is someone who has twice claimed to have diverted demon spells cast at members of the BOT, and has done this publically on the ASD Facebook page, shows the instability of the people in the situation. There are other documents available to attest to this instability, which shed doubt on the suitability of such a person in this position."

Mr. Serino offers no evidence to support his claim other than a private correspondence from a chapter vice president (not from the Danville chapter) to another individual, which was also cced to many members of the Board of Trustees.

In his actions, Mr. Serino violates the ethical standards of the Society by the following:

- 1) Chapter XV, Section 2, "Slanderous remarks against another member affecting their ability to carry out their duties".
- 2) The Society Policy and Procedures sections regarding "Equal Opportunity", which includes the ability to freely practice religion free from any form of discrimination.
- 3) U.S. Civil Rights Act of 1964, Section II.

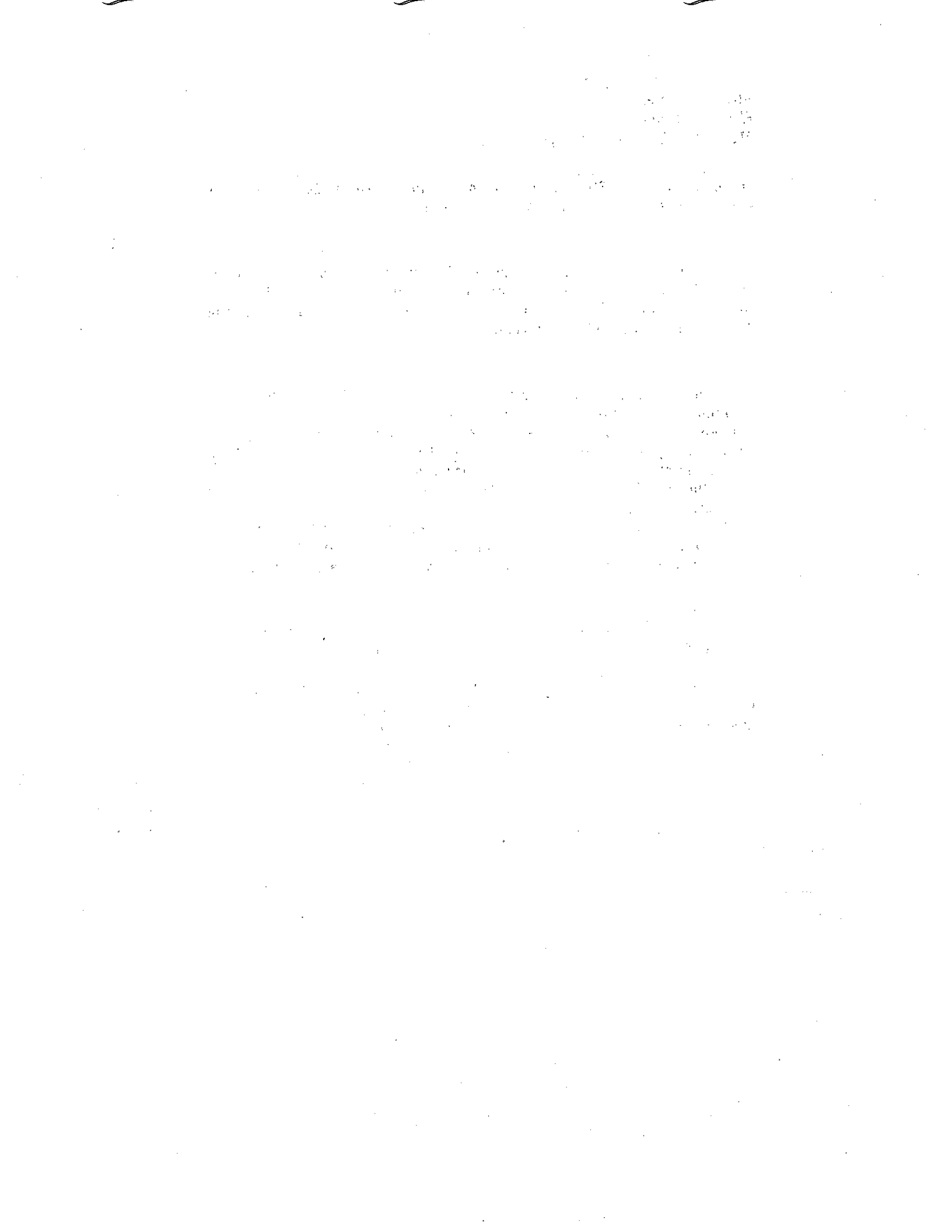
Item 1: Mr. Serino's remarks clearly attack the religious and spiritual beliefs of Mrs. Potter, specifically by claiming that her beliefs "shows the instability of the people in the situation". Federal Civil Rights law prohibits any adverse conduct based of the religious or spiritual beliefs of the individual. Furthermore, Mr. Serino's allegations occur when the Society is currently involved in an election process, and clearly seems to be aimed at adversely influencing the outcome of the election process, against Mrs. Potter. Mr. Serino's handwritten comments, "a document currently

circulating around ASD members", seems to contribute to Mr. Serino's willingness to engage in this further slander, during a Society election.

Item 2, and 3: Federal Law, specifically the Federal Civil Rights Act of 1964, as well as ASD Policy and Procedures regarding religious discrimination, all clearly state that any form of discrimination, based on the religious beliefs of a person, is against the law, and the Policies and Procedures of the Society.

Mr. Serino's timing of these comments, and his apparent willingness to communicate this information during a current ASD Election of Trustees, demonstrates his contempt for a fair election process within the Society. He is clearly attempting to skew the election against Mrs. Potter, by discrediting her; his actions discredit him, his chapter (for which he says he speaks), and the Society at large. He indicates his use of social media (from which he claims to have received the "Karen letter", yet he offers no evidence indicating that Mrs. Potter has ever published any such documents on any social media platform, let alone an ASD Facebook page. This does bring into question Mr. Serino's motives, and his apparent willingness to further publish this document, with his derogatory analysis.

Mr. Serino's unwillingness to read through the ASD Audit Report, where all of the actions of Mr. Herbert are detailed and supported, would also appear to violate the Society Code of Ethics, Section 1, item (C): Members shall avoid and discourage sensationalism, exaggeration, undignified and unwarranted statements, or misleading advertisements. By simply reading the audit report, freely available to any member of the Society, many of Mr. Serino's concerns could be addressed.



This day the 18<sup>th</sup> of April, 2017, I, John Serino, President of the ASD Danville Chapter, along with "a jury of peers" among the membership of the Danville Chapter of ASD, have gathered to review the ethics charges filed against Steve Herbert and hear his responses. Today I assert my right according to the ASD By-laws, Chapter XV, Section 2, to conduct such a hearing and to seek to find resolution.

I assert also that the charges leveled against Steve are the result of a highly biased audit, conducted with an agenda, and that the charges are frivolous, contrived, full of distortions and untruths, prejudicial and baseless. These charges show subjective interpretation of actions that assume dishonest intent. Accusations were made of violations where policies don't even exist, and in the performance of duties for which guidance was not offered. Though Steve has often been in the position of taking up the slack when WFHF committee members resigned or in one case pulled off by the BOT, he was never in a position of being in charge. He always worked with committee approval. I declare that while he is human and not immune to mistakes, he is innocent of any wrong doing and that he has always acted with pure intent.

Steve has been a member of this society for 32 years. Over that time he has given selflessly of his time energy and expertise in teaching within the society and training abroad, writing numerous articles for the digest, and most notably, nearly 19 years of service as Secretary of the Water for Humanity Fund. In recognition of his contributions he was named Dowser of the Year in 2002. Thousands of lives around the world have been improved through these efforts, reflecting positively on the ASD. Steve has deservedly earned the trust and respect of a great many in the society. I submit that his accusers on the BOT have sought to tarnish his reputation unjustly and even maliciously.

I along with my chapter colleagues have heard Steve's verbal responses to the charges derived from the internal audit, and discerned the purity of his heart and intent. We conclude that it is the internal audit which should be declared null and void for its blatant bias and gross unprofessionalism. Regarding Steve himself, I and my colleagues declare to the BOT that he has been found innocent on every count. He has therefore been exonerated and the matter has been resolved. Therefore the BOT must now restore the lifetime membership that was taken from him without due process in this vindictive manner.

Respectfully,

John H. Serino  
Nellie Richardson  
Richard O'Kelly  
Jim DeLorenzo  
Doris Randall

Cherine Chagnon  
Susan H. Blackman





---

**From:** Annette Weis [REDACTED]

**Sent:** Sunday, April 23, 2017 8:14 PM

**To:** [REDACTED]

**Cc:** Board of Trustees

**Subject:** Response to ASD letter

Attached is my personal response to your complaint letter received 3/16/17. It is not to be presented as from the Board. Your letter is the first and only comment received regarding the Board's decision on Steven G. Herbert and I believe you had good intentions when you wrote it.



To: John N. Serino:

4/23/17 P. 1 of 2

*This is my personal reply and does not reflect on anyone else on the ASD BOT. Your letter received March 16, 2017 gives so much misinformation that is difficult to decide which items to address.*

Your complaint letter implies that it was only in March of 2017 you became aware of some of the issues revolving around Steven Herbert. Your letter shows only concern for Mr. Herbert and no concern whatsoever for all the members involved for years especially those who resigned or chose not to renew membership in order to protect themselves. Remember it was the ASD BOT that was legally, financially, and ethically responsible for whatever Mr. Herbert did and did not do.

After all of the negotiations, emails, telephone conferences and meetings, you and the Danville Chapter are suddenly interested. Why? Mr. Herbert, who after 20+ years must have known the By-Laws, consciously chose not to involve you or anyone from the Danville Chapter. There isn't even one mention of the Danville Chapter in any of the prior records. Never once has Mr. Herbert considered his membership in the Chapter relevant.

Although he is no longer a Chapter member, the Board has absolutely no idea if Mr. Herbert was ever a paid member of your Chapter given that he did not pay for many of his memberships in ASD and often let his membership lapse. You may not be aware of the times when others, including me, paid for his memberships. This allowed him to maintain his role on a committee and protected both him and ASD. (I'm sure that the thoughts of protection and legal requirements never entered his mind.)

In Spring of 2016 it was established and published that a Lifetime Membership for Mr. Herbert had never been properly granted. No one, including Mr. Herbert, did anything about it. A very small group of disgruntled acquaintances of Mr. Herbert prevented this topic from being discussed at the 2016 Annual Meeting. You should take this membership grievance to those few members for their terrible timing at that meeting and not to the current Board.

Mr. Herbert had months to reply to the complaints of 2015 and then even more time than legally necessary to the charges before the Board took any action. The BOT has not heard one little 'peep' from Mr. Herbert. He did send a formatted letter asking for legal representation to our insurance company and, in the same letter, denied everything including documents that have his signatures. That action discredited him and made similar form letters from others appear foolish and infantile to our agents.

The pattern is always the same; someone is always called on to rescue him from Board after Board. Does Mr. Herbert ever speak for himself? The answer is obviously a resounding, "No." It is very sad when a grown person either will not or is not capable of speaking for himself. How to help him has been tackled by many well-intentioned members but ASD is not equipped nor should it be in the business of counseling.

Mr. Herbert's claims of bullying and harassment toward him are also repeated words and behaviors by Mr. Herbert. Reviewing prior Board records, the complaint against Lisa Lacoss and myself is yet another example of history repeating itself. The two separate attorneys are probably still laughing. They found the document so ridiculous that they originally didn't want to waste our money and couldn't believe we were serious on wanting it reviewed.

continued....

To: J. N. Serino, 4/23/17  
Response to Complaint Letter

p. 2 of 2

Where did you ever get the idea that Mr. Herbert was going to receive a "lifetime achievement award.....for years of wonderful service?" In December 2015 it was *suggested* that a certificate could be offered as a way for Mr. Herbert to save face by gracefully stepping aside from his secretarial duties. He could be recognized for his 20 years as a volunteer. That was it. FACT: ASD's 25 years of humanitarian efforts with the Third World Fund and WFH were to be celebrated-- not Mr. Herbert. It is the *members* who make the WFHF possible.

Mrs. Lee Ann Potter led an internal audit in preparation for an external CPA audit. After many years of no one auditing the books, I started the ball rolling for an internal audit back in 2015. The statements made in that report are all documented in the appendices. FACT: ASD's records are currently undergoing an independent audit by CPAs.

The statement about Rev. Potter's 2014 email relates to a former ASD president who resigned the first time because of perceived dark entities while crossing a desert. Using your logic, the former president is also not stable. Please think about your charge of instability when you consider a recent speaker presented to your Chapter. This illustrates a judgment call that some non-traditional belief systems are OK to be presented and discussed but others are to be criticized without any discussion.

On some level, you must have realized that the Board did not involve you and another member in the Crystal Gate fiasco. No one on the Board felt you were responsible for the incompetent handling of yet another donation. The crystals were never a part of the reasons given to Mr. Herbert to step down from his secretarial role back in 2015. No one on the Board knew about them until well after the decision was made. Later, when the Board learned about the fiasco, it assumed you were trying to do something good. When the crystals were illegally returned, the Board chose not to press charges against Mr. Herbert even though Board members had to correct and clean-up the botched return.

As I said in my opening, I think you are well intentioned and do not mean to cause Mr. Herbert any further grief. FACT: The Board is following the financial and the legal advice it received.

In conclusion, your letter never did say what you wanted. FACT: Except for your letter of March 16th, no one has voiced any concern over the Board's action including Mr. Herbert. The Board has moved on to positive and constructive projects and I hope you join us.

4/26/17

To Whom it may concern of ASD ,better known as the American Society of Drama  
In response to the ethics charges filed by Mrs. Potter.

As a Chapter President I will bring these charges to be examined by the Danville Chapter Vice President Susan Blackstone.

These charges will be addressed at our May 27th meeting where our membership will be involved in judging my actions. I also invite Mrs. Potter to attend and address my chapter if she so desires ; hoping this matter can be resolved within the framework of the ASD By-Laws.I will also address Mrs.Potter's chapter if she so wishes.

The ethics charges brought against me by Mrs. Potter are ridiculous at best and clearly a desperate attempt to focus on a subject my words in no way intended or could be construed to as Religious bigotry. I have no prejudices concerning her religion or spiritual practices; she can worship the Easter Bunny for all I care. I do take offense at her use of the ASD Discussion page to shamelessly boast of her powers and promote herself on a page where only dowsing can be discussed (or so I am told by Marty Lucas). I also take offense and question her rationality and character when she stoops to using the guise of past lives history to defame someone and brag of her own spirituality. An incredibly spiritual being would have no need to say such things. And if the origin of such correspondence is in question ,it was given to me by Karen along with her response.

I have so many more documents and personal testimony to attest to her lack of of the integrity and stability needed to lead and conduct an honest and unbiased audit . I believe her own words on FB and actions concerning the "Witch Hunt" of Steven Herbert constitute just a few of the many ethics violations of Mrs.Potter.

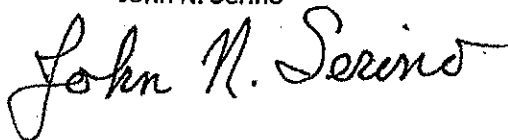
I welcome an opportunity to bring Mrs. Potter's transgressions into the light.It is my concern for ASD ;a society working to make dowsing a factual and reliable institution leaning toward science. It mocks ASD when talk of Demon spells are allowed to spread drama,fear,sensationalism on the societies FB page.

If these charges are not resolved to the satisfaction of both parties they must move to an unbiased ethics committee. I ask that no BOT members that were or are involved in this "Witch Hunt" be allowed to participate. I also demand that if such a situation arises I be allowed to face my accusers.

Think long and hard on this. I give Mrs. Potter this opportunity -NOW- to withdraw her charges. If so I will not release the Damning evidence I posses to the general membership and this matter can be dropped.

Danville Chapter President

John N. Serino





# The American Society of Dowsers

PO Box 24, Danville, Vermont 05828 (802) 684-3417 fax: (802) 684-2565



May 12, 2017

John Serino  
[REDACTED]

Dear Mr. Serino:

The Ethics Committee of the American Society of Dowsers convened on May 2 and May 11, 2017 to discuss the ethics charges against you by Lee Ann Potter. We, the Ethics Committee, have decided that we would like to give you an opportunity to defend the charges, but given that this opportunity was given to you previously, the Committee has voted to give you three days from the receipt of this letter to do the following:

1. We need to know some of the history of the dissemination of your March 9, 2017 letter to ASD. Specifically, was this shared with other members of your Chapter and ASD members in general? Did your communication with others involve you re-sending the "Karen" email affixed to your March 9 letter?

2. Do you have evidence and information to show that the 2016 Audit Report was in any way false or improper, and/or that the Audit Committee and Audit Report made errors because of the "instability" or the "doubt on the suitability" of Lee Ann Potter?

We gave you time in March and April to respond to the charges sent to you and unfortunately, your reply was primarily accusations and threats. Please understand that the accusations and threats in your reply to the charges are not proof. We give you this second opportunity to answer the charges against you and substantiate how the facts in the Audit Report reflect Mrs. Potter's beliefs. This matter is not to be handled by the Danville Chapter as set forth in the first and subsequent paragraphs of Chapter XV Section 2 of the By-Laws.

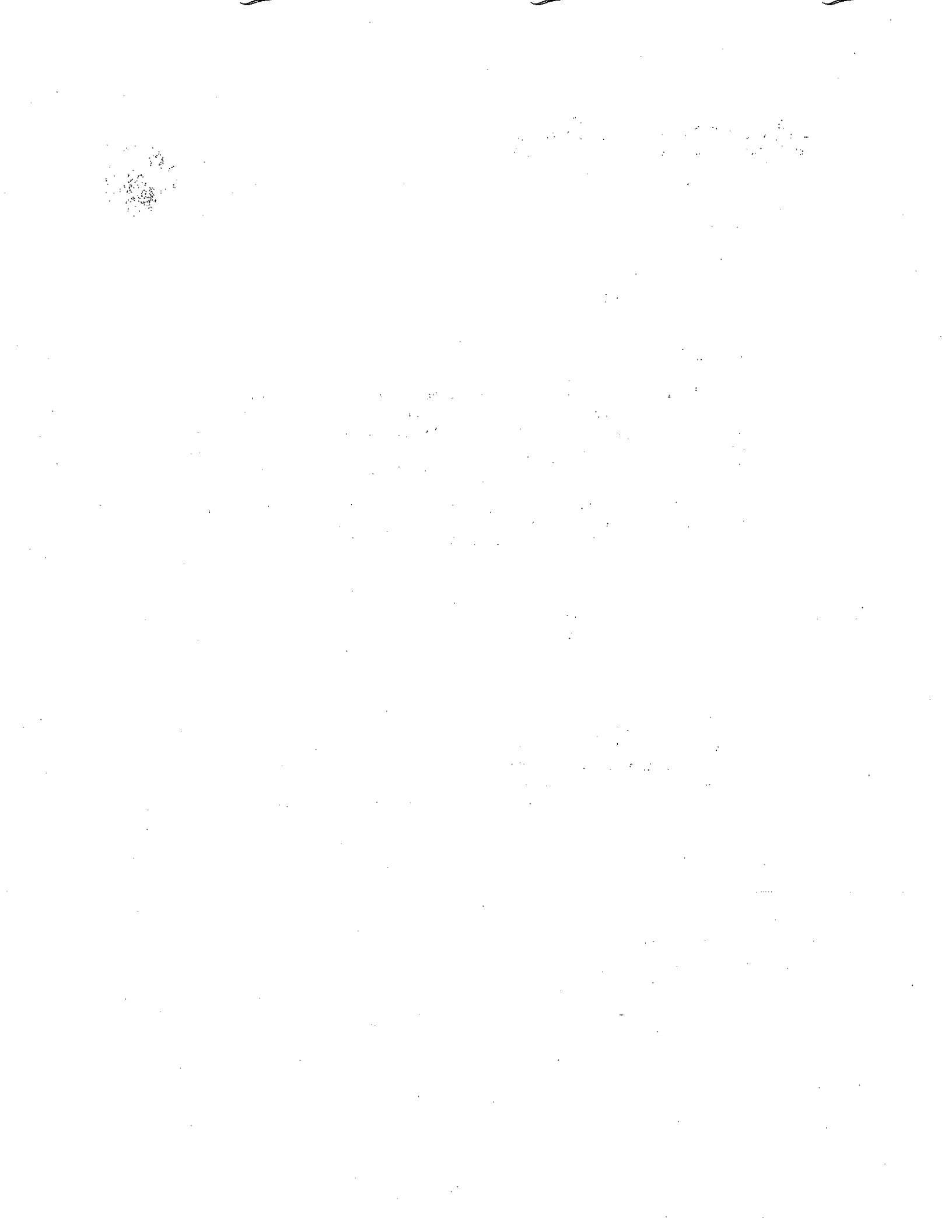
We are counting on your cooperation and look forward to concluding this matter.

Sincerely,

*Marty Lucas*

Marty Lucas  
President





5/18/2017

Mail - [REDACTED]

## Seeking Justice

John Serino

Thu 5/18/2017 10:56 PM

To: bot@dowsers.org <bot@dowsers.org>;

To whom it may concern of ASD

Concerning your question regarding the sharing of information or correspondence in my March 9th 2017 letter. Perhaps stating the obvious; the communications were neither addressed directly to myself nor sent directly to me; so clearly they have been shared within the Society prior to having been shared with me or by me. The real question is why would Mrs. Potter write such damning things that are clearly an ethics violation in themselves. Her FB comments were clearly a violation of spiritual boasting which the Society frowns upon.

Said communications were included in my correspondence not to call in question the religious beliefs of Mrs. Potter. These communications were included as an example of the malicious nature and malintent also exhibited by Mrs. Potter during the auditing process that subsequently resulted in the resignation of two highly respected professionals at two separate times.

In regards to the validity, authenticity, accuracy and fairness of the audit I would provide evidence in the form of resignations and personal letters that arose in response to Mrs. Potter's mishandling of the audit. They clearly state that said audit was a "Witch Hunt" whose sole purpose was to find evidence targeting Steven Herbert for removal from ASD.

I as well look forward to the resolution of these matters; both the reinstatement of Steven Herbert's membership in ASD and the far less important; the false charges brought against me by Mrs. Potter citing the inaccurate idea that my letter in any way was an attack on her religious beliefs.

It is my observation that these charges were brought about as an attempt to redirect the whole focus of this matter away from Steven Herbert in effort to hide her own mishandling of the auditing process.

I have read the audit extensively and have written responses to all the charges. How Mrs. Potter could try and turn grant writing into a crime is beyond me. The audit made many accusations with no fact. To cite the use of Steve's sister when ASD used her themselves in November of 2016. Her work for the society was fair and competitive otherwise all are at fault.

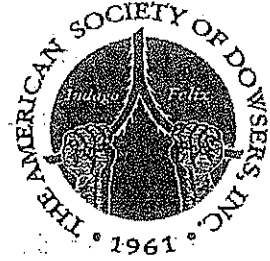
It seems to me That Mrs. Potter is the one who should be brought up on ethics charges and Steven Herbert praised and reinstated.

John N. Serino  
President Danville Chapter



# The American Society of Dowsters

PO Box 24, Danville, Vermont 05828 (802)684-3417 Fax: (802)684-2565  
[www.dowsters.org](http://www.dowsters.org) [asd@dowsters.org](mailto:asd@dowsters.org)



May 24, 2017

Dear Mr. Serino:

The Board of Trustees assembled as the Ethics Committee as per Chapter XV Section 2 of the *By-Laws of the American Society of Dowsters, Inc.* on May 16, 2017 to review the Formal Ethics Charges made against you. These charges were contained in a letter dated March 24, 2017 by Lee Ann Potter and were based upon correspondence sent to the President and Board of Trustees (BOT), March 9, 2017.

In your letter you stated, without naming Lee Ann at first, that Lee Ann was unstable and you questioned her suitability as a member of the American Society of Dowsters (ASD) Audit Committee. You challenged the results of the Audit Committee solely upon your perception of her instability and unsuitability as a member of the Audit Committee. You offered no proof that the results of the 2016 Audit were in any way incorrect or improper and that the committee reached a wrong conclusion. As part of your evidence of Ms. Potter's shortcomings, you presented what appeared to be a well-circulated personal email sent to a person only identified as "Karen" from Ms. Potter. In fact, a hand-written note at the top of the page states, "a document currently circulating around ASD members."

You were sent a letter from Annette Weiss, Corresponding Secretary for ASD, containing the Formal Ethics Charges by Ms. Potter with a response deadline of Wednesday, April 26, 2017. In the Ethics Charges, Ms. Potter stated that she believed that you violated Chapter XV, Section 2, stating that "misconduct" includes, "(4) Slanderous remarks against

another member affecting their ability to carry out their duties." You responded in a timely fashion on April 26, 2017. In your response, you again reiterated your claim of Ms. Potter's unfitness to "conduct an honest and unbiased audit," but failed to supply documents or any evidence that the audit was in any way affected by Ms. Potter's religious beliefs and practices or how they affected the documents in the Audit Report and its ultimate conclusions. You did not apologize for your representation of Ms. Potter, and offered to, but did not provide, further documentation of her unfitness. The Ethics Committee sent you a letter on May 15, 2017 seeking clarification and providing you with a second opportunity to explain how Ms. Potter's beliefs influenced the Audit Report. You responded in an email but failed to answer either of the two questions asked or to provide any further information that would relieve you of the ethics charges posed.

Chapter XV, Section 2 of the By-Laws (a copy is provided with this letter) provides for disciplinary process. In the first sentence, the following is stated:

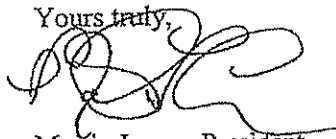
"Any Member, Trustee or Officer, may be reprimanded, suspended, removed from office or lose their membership by a 2/3 vote of the full BOT is shown to be guilty of misconduct."

Given two opportunities, you provided no proof of the unsuitability or instability of Ms. Potter's beliefs having any possible effect on the 2016 Audit Report. As a result of no proof or evidence being provided, the Board of Trustees of the American Society of Dowsers voted on the ethics charges May 16, 2017. Ms. Potter was not present for any part of the discussion and vote. Regrettably, the Board of Trustees found that you were in violation of Chapter XV, Section 2(4) of the By-Laws. Because of the acerbic nature of your claims against Ms. Potter; your lack of a serious attempt at resolving this matter; your repeated threats; and the fact that



you are a Chapter President in a position that permits you to communicate and influence other ASD members, the Ethics Committee of the American Society of Dowsers voted to revoke your membership in ASD, immediately. You are no longer a member of a Chapter in ASD and you may not hold an office in a Chapter. You may reapply for membership into ASD two years from this date.

Yours truly,

A handwritten signature in black ink, appearing to read 'ML', written over the typed name 'Martin Lucas, President'.

Martin Lucas, President



Back

Filing History			
Business Name		Business ID	
AMERICAN SOCIETY OF DOWSERS, INC., THE		0041083	
Filing Number	Filing Date/Time	Effective Date	Filing Type
0002164566	04/05/2016		REINSTATEMENT
0002162060	04/02/2016		STATUS CHANGED TO TERMINATED
0001899348	02/07/2014		BIENNIAL REPORT (2014)
0000960409	02/14/2012		BIENNIAL REPORT (2012)
0000960410	02/14/2012		PRINCIPAL CHANGE
0000960411	02/14/2012		PRINCIPAL CHANGE
0000960412	02/14/2012		PRINCIPAL CHANGE
0000960413	02/14/2012		AGENT ADDRESS CHANGE
0000960414	02/14/2012		AGENT CHANGE
0000960377	01/21/2010		BIENNIAL REPORT (2010)
0000960378	01/21/2010		PRINCIPAL CHANGE
0000960379	01/21/2010		PRINCIPAL CHANGE
0000960380	01/21/2010		PRINCIPAL CHANGE
0000960381	01/21/2010		PRINCIPAL CHANGE
0000960415	01/24/2008		AGENT CHANGE
0000960416	01/24/2008		BIENNIAL REPORT (2008)
0000960417	01/24/2008		PRINCIPAL CHANGE
0000960418	01/24/2008		PRINCIPAL CHANGE
0000960419	01/24/2008		PRINCIPAL CHANGE
0000960420	01/24/2008		PRINCIPAL CHANGE
0000960398	04/13/2006		BIENNIAL REPORT (2006)
0000960399	04/13/2006		MISCELLANEOUS
0000960400	04/13/2006		MISCELLANEOUS
0000960401	04/13/2006		MISCELLANEOUS
0000960402	04/13/2006		PRINCIPAL CHANGE



< Previous | ... 1  2  3 | ...  Page 1 of 3, records 1 to 25 of 69

Back



**VERMONT SECRETARY OF STATE  
Corporations Division**

MAILING ADDRESS: Vermont Secretary of State, 128 State Street, Montpelier, VT 05633-1104  
 DELIVERY ADDRESS: Vermont Secretary of State, 128 State Street, Montpelier, VT 05633-1104  
 PHONE: 802-828-2386 WEBSITE: www.sec.state.vt.us

**\*\*CHANGE\*\***

FILING #0002164566  
 FILED 04/05/2016 11:36 AM  
 REINSTATEMENT

- 1. Client ID: 000103256
- 2. Business Name: AMERICAN SOCIETY OF DOWSERS, INC., THE
- 3. Business ID: 0041083
- 4. Citizenship: DOMESTIC
- 5. Fee: \$70.00
- 6. Do you have any paid employees, directors or officers? YES
- 7. Principal Office Business Address: 184 BRAINERD STREET, DANVILLE, VT, 05828, USA
- 8. Principal Office Mailing Address: PO Box 24, DANVILLE, VT, 05828, USA
- 9. AgentID: 000193372
- 10. Agent Name: Lisa Lacoss
- 11. Agent Email: asd@dowers.org
- 12. Agent Business Address: 184 Brainerd St, Danville, VT, 05828, USA
- 13. Agent Mailing Address: 184 Brainerd St, Danville, VT, 05828, USA
- 14. Date: 4/5/2016

eSignature:

- 15. Authorizer Name: Lisa Lacoss
- 16. Authorizer Title: Manager



**VERMONT SECRETARY OF STATE  
Corporations Division**

MAILING ADDRESS: Vermont Secretary of State, 128 State Street, Montpelier, VT 05633-1104  
 DELIVERY ADDRESS: Vermont Secretary of State, 128 State Street, Montpelier, VT 05633-1104  
 PHONE: 802-828-2386 WEBSITE: www.sec.state.vt.us

FILING #0002164566  
 FILED 04/05/2016 11:36 AM  
 REINSTATEMENT

Principal(s):

Full Legal Name:	Kevin O'Brien
Title(s):	Treasurer
Business Address:	184 BRAINERD STREET, DANVILLE, VT, 05828, USA
Full Legal Name:	Lisa Lacoss
Title(s):	Director
Business Address:	184 Brainerd St, Danville, VT, 05828, USA
Full Legal Name:	Martin Lucas
Title(s):	President
Business Address:	1320 46th St, Des Moines, IA, 50311, USA
Full Legal Name:	Sandi Ruelke
Title(s):	Secretary
Business Address:	184 BRAINERD STREET, DANVILLE, VT, 05828, USA

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



From: [REDACTED]  
Subject: Pitkin books donated to Water for Humanity  
Date: May 16, 2016 at 7:17:04 PM EDT  
To: [bot@dowsers.org](mailto:bot@dowsers.org), John Pitkin [REDACTED]

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  
[REDACTED]





Janis Fallon [REDACTED]

---

**Fwd: Quick question**

1 message

---

Janis Fallon [REDACTED]

Thu, May 19, 2016 at 11:40 AM

To: William Getz [REDACTED]

Idaho Dowsers <idahodowsers@gmail.com>

Sent from my iPhone

Begin forwarded message:

**From:** Janis Fallon [REDACTED]  
**Date:** May 19, 2016 at 11:34:23 AM EDT  
**To:** President <president@dowsers.org>  
**Subject:** Re: Quick question

Thank you. I also heard that donation money to WFH was going/ is being to be used for ASD legal fees which I strongly believe would be illegal and also open board members to personal criminal actions if they intentionally and knowingly take illegal actions. So this also heightens my concern for a full accounting and return of unused \$\$.

The only other thing I wanted to bring up was I heard that there will be people at the member meeting who have been asked by the board (?) to make motions and second them to adjoin the meeting to prevent comments, questions, responses, etc on reports and other old and new business. I am assuming Roberts Rules of Order are still used to govern meetings and members will be encouraged to participate to promote open, full dialogue to help heal the tremendous rifts that have and are occurring.

Thank you for your response - if the attorney wishes to speak to me directly they can do so.

Janis Fallon

Sent from my iPhone

On May 19, 2016, at 10:04 AM, President <president@dowsers.org> wrote:

Thank you for your concern about WFHF. It has not been eliminated, nor have we abandoned the WFHF mission. Whoever told you otherwise is incorrect.

We are happy to cooperate with the Vermont AG office and will cheerfully supply their office with any and all documentation they request.

Your letter has been referred to counsel so that we may answer it fully.



Thank you,

Marty Lucas

President, ASD

<mime-attachment>



BOT Annual Meeting 6-5  
55<sup>TH</sup> ANNUAL MEMBERSHIP MEETING JUNE 5, 2015

BOT Annual Meeting, June 5 2015

Trustees: Annette Weis-President, Sandi Isgro-Vice President, Sandi Ruelke-Secretary, Kevin O'Brien, Treasurer, Marty Lucas, Adhi Two Owls.

Absent due to health issue, Keith Schaffer. Absent due to car failure, Tick Gaudreau, Trustees

Elect: Jean McDonald, Jenni Anderson, Rebecca Gurfand.

Absent Trustees Elect: Richard Benishai, Janet Windsor. Living out of the country.

Annette started the meeting reading a quote we used at the beginning of all BOT meetings with Annette as President.

Listen actively, encourage brevity, respect confidentiality, enquire and challenge with consideration and respect. We also have to remember that it is not necessary to agree all the time. That's ok. We allow for silence when it serves a purpose or we take a breather. We try to be open to new thoughts and possibilities. One of the other things we are trying to do is to bring some fun back into volunteering for ASD so we try to have fun, stay loose, be flexible and trust.

Sandi Ruelke: attendance of the current Board of Trustees, as noted above.

Minutes of the 2014 meeting are available. Motion to approved June 2014 minutes made by Marty Lucas, seconded by Lee Ann Potter. 1 abstained, approve by all others. Motion to approve minutes passed.

President's report highlights (full report available for membership):

The first two paragraphs go into problems and how we dealt with things. Annette will be glad to answer questions if anyone has any later on. Get on to positive. There was a mass resignation of 5 BOT members, the remaining 5 stayed and put out a call to the membership. The response was fantastic. We needed 3 additional BOT members to make full board. Over 20 volunteered to fill the positions or help, and many more volunteered to help in any way possible.

Membership is holding steady, either increase or decrease. Our aim is to increase.

We have not had a financial audit since 2006. We do have provisions to have an internal audit to prepare for a formal audit at some time. Preston Hull, Bob Kort have volunteered, we need one more. Our 990 tax form was done on time this year. It is available if anyone wants to see it. It will be available on Guidestar on the internet also. We are not wealthy, but we are healthy. Rumors that we couldn't pay our staff, wouldn't have a convention this year, are only rumors!

Areas we are working on: Review and update and implement changes in many of our PPM and by-laws. Some have not been updated since 1980 or 1990. Things have changed.

Most important. Nominations and elections process. We would like volunteers to help with the process.

Employment section: In serious need of revision.

Convention Committee: It has not changed since 2003. It also is a work in progress.

Digest: Great people, winging it because much guidance information is out of date. We need help. WFHF-

Much updating is needed to help WFHF grow.

Southwest Conference will be starting again in Los Cruces, NM in 2017, replacing the one in Flagstaff, AZ. July 2016 the West Coast conference is in Santa Cruz, CA. The Appalachian Chapter had a lovely conference in North Carolina, although it did not bring in new memberships.

The BOT is working on: what makes ASD membership valuable to you? What more can we do so that you are proud and pleased to be an ASD member, and get something from it beside the Digest. Let us know... what you like or don't like!

WFHF is preparing to grow, so be on the lookout for that. We encourage all to support WFHF and we give thanks to those who have been working on the committee for years of dedicated service.

Annette stated that "one of the great things about taking the interim Presidency was getting to know all of you. I've met wonderful people in getting to know the membership."

Financial Report – if you have questions or concerns let us know and contact the office.

Buildings and Grounds have been very active: We have put in two furnaces, new windows, a lot of paint, rearranging the bookstore, a new copier, and more to do.

Convention committee, Education committee, Digest Committee, Nominating Committee Report, end of year report for WFHF,

New Business: Convention in Saratoga Springs in 2016. Maybe we will alternate with Lyndon, we will see.

Question from member: Why do we have to be a member of ASD if we are a member of chapter. Membership in ASD supports the organization, membership in a chapter only supports the chapter. 50% of our memberships are affiliated with a chapter, 50% independents. We need to consider the needs of both. What is value of membership? Bookstore, conference discounts, digest, and what else?

John Wayne Blassingame. When are the staff going to get help? We have a lot of work to do on by-laws and ppm.

Introduction of the new trustees, Rebecca, Diane, Jean, Jenni, Richard and Janet were out of the country. We had a Transition meeting today, working on getting everyone on the same page.

Annette asked three time if there was any more business. A motion to adjourn. 3 opposed, motion to adjourn passed.

Post questions: Why Saratoga? ...to be more accessible by bus, train and air. ...greater variety of off campus lodging available. ...decided best overall location for now. It is an area revolving around water, reasonably level, larger classrooms, and a town that welcomes a metaphysical dowsing Expo.

Roxanne Louise: Chapter politics. Please reconsider requirements to be a chapter. Also, why was financial information requested from those using ASD's Tax ID number? We cannot have not access to the account, but need the info to accurately report the amount of money using our account number.

Where are the chapters...or groups, and let's revise requirements.

Submitted by,

Sandi Ruelke  
Recording Secretary  
ASD Board of Trustees

----- Forwarded Message -----

From: Kevin O'Brien [REDACTED]  
To: President <[president@dowsers.org](mailto:president@dowsers.org)>; Board of Trustees <[BOT@dowsers.org](mailto:BOT@dowsers.org)>  
Sent: Friday, March 4, 2016 9:23 AM  
Subject: Re: Constant Contact

*Minor suggested changes as shown below.....*

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. 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](mailto: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". (In lieu of ) *Based upon* 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. 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 25<sup>th</sup> anniversary of WFHF at convention will go on as planned,

Thank you,

Marty Lucas  
President, ASD

On Fri, Mar 4, 2016 at 9:08 AM, President <[president@dowsers.org](mailto:president@dowsers.org)> wrote:

Board;

This needs to go out yet this week. I am asking Lisa to send it at COB today. Please review it and send me your recommendations prior to that so I can update the message for her.

Thanks

Marty

Lisa,

The audit committee has been formed and has asked that we inform the membership of their work. That is an excellent idea, especially in light of recent developments with WFHF. Is the ASD auditor a good email for them?

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. 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](mailto:ASDAuditor@dowsers.org).

Recently the Water for Humanity Fund Chairman resigned. In his resignation he accused the committee of being "unable to fulfil 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.

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. The celebration of the 25<sup>th</sup> anniversary of WFHF at convention will go on as planned.

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.

Thank you,

Marty Lucas  
President, ASD



4/15/17

Amelia "Amy" Loomis, MSW, ACSW, CCHt

Eagle, ID 83616

To Whom It May Concern:

This letter is written to support Steven G. Herbert's appeal to dismiss the AMERICAN SOCIETY OF DOWSERS (ASD) Board of Trustees' ethics charges and restore his Life Membership. The ASD Board of Trustees and Mrs. Lee Ann Potter, Chair of the Audit Committee, published the internal audit June 2016 and distributed it at the ASD annual meeting in Saratoga Springs, NY. Mrs. Potter then summarized the ethics charges and President Lucas sent them on August 4, 2016 to twelve WATER FOR HUMANITY FUND (WFHF) Committee members and associates. Later the ASD Trustees revoked Steve's Life Membership postmarked January 19, 2017, all without following due process or procedures.

I was very clear with Mrs. Potter, President Lucas and Kevin O'Brien, ASD Treasurer that the internal audit needed to include headquarters' policies and procedures since they were a big part of the problem; that my past experience working with the WFHF Committee, Kevin O'Brien, and their CPA to streamline data within WFHF and at headquarters gave me an experienced view of the problems. Many functions needed to change, primarily at headquarters and with ASD policy. To target Steve and WFHF alone, without reviewing policies and procedures at headquarters was folly. Additionally, WFHF did not handle monies, except to receive funds from donors at the convention or other activities and immediately turn those dollars over to Lisa Lacos, the bookkeeper, for deposit to the appropriate bank accounts. Lisa was the only one authorized to write checks and needed a signature from the ASD Treasurer if over \$600. Michelle Hicks, WFHF Treasurer, only reviewed data and tried her best to tract grants and expenses through headquarters.

Mrs. Potter said she refused to accept my rationale and proceeded with an internal audit that I believe had little, if any, merit. It is not objective; it is full of distortions, misleading and erroneous information, and projections without substantiation. She used as her sole source emails and other written documents, without doing any interviews with those she would later accuse. The net effect has been to damage the reputations of many including Dan Prater, Michelle Hicks, Steve G Herbert, Jose Cueto, Frankie Hutton, Susanne Dillon, Jean McDonald, Jennifer Anderson, Dreama Brower, Don Black and me. It has also provided a cover-up for the lack of appropriate ASD policies and management capabilities.

After speaking with Mrs. Potter and Marty Lucas, and seeing the audit report and Summary of Ethics Charges, I can understand why Janis Fallon Esq. and Linda McCall<sup>II</sup> each resigned from the audit committee. It was unprofessional, not following best practices for an internal audit, biased and severely punitive in its approach. The process was not confidential; apparently Mrs. Potter was blind copying all communications with the new ASD President, Marty Lucas. Mrs. Potter refused to let Janis, an experienced auditor, interview parties involved and insisted in biasing the entire process to achieve her goal to discredit the Michigan Dowsers, Steve, Dan, Michelle and other members and supporters of the WFHF Committee. It was biased -- a witch hunt-- poorly conceived, too narrowly focused, and favored a few ASD Trustees and one staff who had personal vendettas against Steve.

On several occasions Mrs. Potter informed me of her expertise in fighting terrorism contracting with government intelligence agencies. It seemed to me that she treated the audit with similar tactics: the way she demanded information, the way she handled data and internet information, and the punitive and accusatory tone of the audit report. The Summary of Ethics Charges reflected the same approach.

The result has been defamation of character, the taking of lifetime memberships, revoking annual memberships,



and leading to many members not renewing. Many persons and chapters have lost confidence in ASD Trustees, --punitive misuse of the Ethics Bylaw, overreach of authority, flagrant disregard of due process as stated in the member's Bylaws, and other violations of non-profit best practices.

I was involved with ASD headquarters and WFHF in several ways. In 2014, I volunteered to write grant proposals for ASD. (Prior to retirement I had been a grants officer, grant writer and grant reader.) I met with Andy Bray, then ASD Treasurer, at the ASD Annual Convention and he welcomed my help "because income from memberships were on a steady decline from year-to-year" and he was "not sure how long ASD could survive without grant money."

During that period of time I worked with Steve Herbert, Nathan Platt, Blair Wolston, and several ASD Trustees. Several problems immediately surfaced. ASD did not have an infrastructure to properly handle grants or grant monies. They had no grants management software. QuickBooks was not properly configured to track income or expenses for the WFHF. Job descriptions did not address project management and ASD did not have qualified paid staff to direct projects. Project management was left to volunteers without adequate oversight or policies and procedures to guide them. The Office Manager (OM) job description did not address many of the functions that foundations and grant makers consider minimum requirements.

From May 31, 2015 to January 17, 2016<sup>iii</sup> I functioned as a grantmaking advisor to the Water for Humanity Fund Committee. I assisted them, not just Steve, in creating policies and procedures to track grant proposals and share appropriate data among the committee members. I strongly objected to maintaining files at headquarters rather than at Steve's home because Lisa told me that she would not manage any part of the files, she just wanted the "originals" at headquarters. She said she wouldn't copy any originals coming in snail mail; she wouldn't send electronic files to committee members or perform any other tasks related to grants management. To have files only at headquarters without staff oversight would have been a violation of best practices. The ASD Treasurer, Kevin O'Brien, approved a plan to utilize electronic files at headquarters and for Steve to continue managing hardcopy files at his home. (Foundation officers frequently keep files on their person, at home and during travel for site visits. Proper grantmaking requires that staff have files available. In my opinion Steve was quite capable of functioning in this capacity. This is an essential task of a philanthropic effort and he was the only one who was functioning in that capacity. The criticisms of Steve in these ethics charges had no relationship to his primary volunteer work. Instead, these charges most often reflect the lack of proper management and oversight at headquarters.

One example of ASD's lack of organizational infrastructure came to light in the Annenberg Foundation/Metabolic Studio's review of a grant proposal that they had requested. They were very excited about supporting WFHF and Steve's activities. The ASD Office Manager and Steve Herbert wrote a proposal requesting \$118,100 to expand projects abroad, primarily in East Africa, and improve ASD infrastructure for supporting WFHF. After Annenberg reviewed the proposal, checked online documents and tax records, and interviewed staff, they decided to only fund the office line item budget of \$8,400 that covered a percentage of time for Nathan Platt, Steve Herbert, Lisa Lacoss and Jax Willey to integrate WFHF functions into ASD headquarters activities including building a new website, improving the WFHF e-newsletter, purchasing a computer to support WFHF functions, and headquarters overhead, etc. Funding WFHF projects before strengthening headquarters would be a mistake. ASD switched their tax accountant after the inquiry from Annenberg. The grant was given to ASD, not to the WFHF. If progress at headquarters were positive they would consider another proposal. That never happened!

The ASD staff and trustees continued to oppose most actions of the WFHF Committee even though the committee had been working well as a team for months. The new President, Major Marty Lucas, conducted communications in an authoritarian manner, not customary for non-profit leadership. He froze the fund in February 2016, demanded an audit, and recommended Steve and the other members of the Committee find a

new non-profit for the fund. He encouraged Amy Loomis and Dreama Brower to proceed with developing a 501(c). After we did so, President Lucas refused to make plans to transfer the funds by voting "no," to break a tie when the Board of Trustees' voted. On April 27, 2017 Marty Lucas dismissed all WFHF committee members and suspended all activities of the fund.<sup>iv</sup> President Lucas defended his behavior over and over again with "fake news" to cover the truth. It was clear from February on that he wanted an outcome of the audit to justify his freezing of the funds in February. So he found an auditor to provide trumped up charges.

Over the time that I consulted staff at headquarters, many transitions occurred. Nathan left and I then helped the new Office Manager, Blair, set up headquarters policies to manage the Annenberg Grant. Then Blair left. Although Lisa Lacoss became the temporary Office Manager, she refused to act as the Annenberg Project Director as was intended for the Office Manager. When I asked her to perform various management and bookkeeping duties she told me that they were not in her job description. She was only entering data on some items of the Annenberg grant and blamed Blair for not properly training her. When I asked her to correct the data to adequately reflect Annenberg salary percentages and expenses she told others that I had asked her to "cook the books". Kevin O'Brien, ASD Treasurer, helped resolve this problem. It was challenging.

Additionally, when Blair left, I participated in a committee to hire a new office manager that was capable of functioning as a grants coordinator and a non-profit director. It was during this process that on October 31, 2014 five ASD Trustees gave their resignation to the remaining ASD Board. This included Lisa McCrory, Bill Bonnell (both liaisons to Water for Humanity), Kate Whitefield (now deceased), Sandee Mac, and Marty Cain. Bill Bonnell chaired one more WFHF Committee meeting February 17, 2015 as all five were given ethics charges and all memberships were revoked on March 4<sup>th</sup>, 2015. Three memberships were Life Memberships. Harassment, slander, hostility, and negativity would be more severe for some than others, but the pattern was the same.

Steve was not allowed to help change policies per the Annenberg grant to strengthen the infrastructure at headquarters. He and I participated in conference calls with Annette Weis and Kevin O'Brien. Jax resigned. I tried to advise, but the progress achieved during the Annenberg grant to support WFHF soon diminished. I continually faced a scapegoating phenomenon, blaming Steve, rather than changing policies at headquarters. Kevin O'Brien, the ASD Treasurer, referred me to the CPA in Burlington to discuss the 990. She advised that Lisa change procedures at headquarters and upgrade the QuickBooks. She was concerned with several issues that I conveyed to Kevin, none of which related to Steve Herbert or WFHF. She was satisfied with the data from WFHF Committee.

No new proposal was submitted to Annenberg although Steve wrote several drafts for new projects. To my knowledge neither WFHF nor ASD ever used the draft proposals to seek new funds. The gains from Annenberg eroded because headquarters never used the computer to manage grants or track donation and it is unclear how the computer is currently being used. The e-newsletter and the website were both discontinued and headquarters job descriptions were never revised to provide proper oversight for WFHF.

The core ASD Trustees have consistently utilized scapegoating as a way of sidestepping their own responsibilities, even when the newly elected trustees opposed their decisions. Over the last three years, as I have observed, the core ASD leadership has pushed out many talented volunteers, punitively filing ethics charges and taking away memberships. If this organization is going to survive and thrive it needs to look at the misuse of power, the punitive way the core is using ethics charges to manage day to day operations, and organize a nonprofit that has the membership as their service priority.

The above is my professional opinion. I echo Linda McCall's recommendations, "Pending the results of a professional audit, I recommend that ASD **VOID** all action taken that was based on the results of the Internal Audit Team's preconceived **FINDINGS**."

Amelia "Amy" Loomis, MSW, ACSW, CCHt

IdahoDowsers@gmail.com

<sup>i</sup> Article XV, Section 2 of the By-Laws

<sup>ii</sup> See letter from Linda McCall, April 14, 2017. Conversations with Janis Fallon Esq. and Linda McCall April 12 & 13, 2017. They each stated to me that they would be happy to share their experiences with the membership.

<sup>iii</sup> On Mon, January 4, 2016 9:48 am, Idaho Dowsers wrote:

To: Adhi Two Owls, President, ASD

Subject: My Resignation from WFHF as Grants management Advisor Effective January 17th

I am weary of the fighting and my deep concern about ASD's mismanagement of WFHF. I will be resigning my volunteer role as grants management advisor to WFHF effective January 17th. I dowsed/meditated on this decision and the content of this email and thus am sending it to a rather "complex chain of command." I have spent several days mulling over the complaint filed by Michelle and Dan as well as the profound disgust expressed with WFHF Committee by Marty in the last BOT meeting, now a matter of public record for the membership. Since he alluded to a policy agreement underway that you were to handle, I realized that this was not his singular opinion but that of other members of the Executive Committee. Further discussion with another Executive Committee Trustee revealed that this is due to "Steve's is being a one-man show."

I am attaching the below email to hopefully clarify that this committee has not been a "one-man show." To Steve's credit, ASD has him to thank for keeping WFHF intact after Lisa McCrory and Bill Bonnell resigned. He took on many of their functions. For months the current WFHF committee has been restructuring and sharing more and more of the responsibilities. My advisory work is almost completed. The Dropbox strategy discussed below is the best evidence of the fact that this group has the ability to restructure themselves and should be given the respect and regard for already doing so. I am now recommending to you, as well as the BOT and the WFHF Committee, that the PPM needs to address this Dropbox strategy, other minor details, and the revision of the ASD headquarters responsibilities. Although the Annenberg grant paid headquarters to restructure their support to WFHF this never was corrected in the PPM. The PPM needs to include website technical support, computer access, shared responsibility for files, correspondence/newsletter support in addition to the already mentioned bookkeeping support as well as other paid duties to assure its best practices and accountability. Job descriptions at headquarters need to address all WFHF support from the bookkeeper, the clerical staff, the website support, etc. Currently headquarters job descriptions do not mention any WFHF responsibilities and thus no headquarters staff can be evaluated or held accountable. Until you have a paid part-time position for the tasks identified in the PPM's Secretary position, I do not recommend that you substantially change these functions. The entire fund would likely be in serious jeopardy. Steve has done a remarkable job in a volunteer capacity and, in my opinion, does not deserve the malicious and underhanded approach currently underway to sabotage the committee's work. I suspect that there is ample material for an ethics grievance but I will leave this action to others. I also recommend that the WFHF Executive Committee and the Trustee Liaisons meet with the ASD Executive Committee to address mutual concerns.

There is a cancer festering here that must be addressed. The scandal could potentially destroy WFHF and possibly ASD. Many memberships would be lost. Currently this conflict is seriously affecting the ability of the WFHF Committee to conduct the business of grants management. This is my view. I am not representing other members of the committee.

My Sincere Commitment to the Highest and Best Good,  
Amelia "Amy" Loomis, MSW, CCHt

On Jan 4, 2016, at 11:19 AM, Adhi two Owls <adhitwoowls@dowsers.org> wrote:

Amy, This is to acknowledge receiving your email of resignation. I'm sorry you feel the need to resign....I wish you well.  
Kindest regards, Adhi

On Jan 5, 2016, at 9:48 AM, Idaho Dowsers <IdahoDowsers@gmail.com> wrote:

---

Adhi,

Thank you for your response. This decision and its timing was driven by my guidance. I began to realize that this role should never have been solely for WFHF. ASD is responsible for the policies that govern this committee, not the committee. The committee is responsible for following the policies. My advisory or consultancy role for the charitable structure needs to be with the whole organization, or not at all.

The flow chart and its narrative made this crystal clear to me. I have been trying to work from the inside out, and not the outside in.

For a long time I was able to maintain objectivity, but recently I've become subjective in my reactions. Once that happened I compromised my effectiveness and created new problems for the charitable arm. I am now part of the problem, not the solution. There are several ways that I can help if you sense that any of them would serve the organization.

Above all, this organization and its committees must develop consensus methods of decision-making, following a commitment to the highest and best good. As Dowsters we have the ability to connect and get guidance. Other organizations are moving ahead of us as they employ methods of organizational decision-making through intuitive frameworks. To name just a few, the 12 step programs have been doing it for close to 80 years, Calling the Circle is providing organizational assistance in this arena, and most recently there is a growing movement for Evolutionary Consciousness for making organizational decisions. I believe if this organization is going to provide leadership in the Dowsting and intuitive realm that it will need to embrace some form of consensus Dowsting in making organizational decisions.

From: Idaho Dowsters <IdahoDowsters@gmail.com>  
Subject: Spreadsheet for Dropbox  
Date: January 4, 2016 at 5:38:27 AM MST

Attached is the Draft Spreadsheet that Steve and I have been preparing to maintain on Dropbox so that all of the Committee can see the status of all grants and be better informed. Additional information on Dropbox will be the original proposals and final project reports.

It is not clear yet who will enter the data on some of the columns but since Lisa sends financial information directly to you, you may want to enter the check and debit information. Please review this document, discuss with Steve, and each of you get back to me with corrections, suggestions, etc. including who will be responsible for each column.

I am hoping that the Committee can have this and other Dropbox content—including its concomitant grants management—on the agenda for our next meeting. Dreama is working with Steve to set up a workable Dropbox group access and I hope to have this on the next agenda as well. Once we have worked out the kinks on this group committee information, I hope everyone will be able to participate in a more informed and meaningful way in decision-making for grants management.

Note, this is still a draft. Steve is still working on some of the information in various columns. Since we each have different versions of Excel and free spreadsheet software we also have some glitches that Dreama needs to help Steve work out as he has hatch marks in some of the columns. (Dreama, would you talk to Steve about this and see what can be done? Thanks in advance!) I am copying all the committee in case others want to comment.

All, thanks for your time!!! Note: Attachment not included because of grantee confidential information.

Amelia "Amy" Loomis, MSW, CCFP

---

<sup>iv</sup> April 27th, 2016. Steve's records show: "President Marty Lucas disbands the WFHF Committee with the words "...the current WFHF Committee is disbanded and its members released..." in one letter, and in another "...all (WFHF) Committee activities are hereby suspended and all paid and unpaid employees are released..."".



Janis Fallon [REDACTED]

---

**Fwd: Two other donations not deposited into WFH checking account.**

1 message

---

llmccall@comcast.net [REDACTED]

Fri, Mar 11, 2016 at 8:20 PM

To: "Fallon, Janis" [REDACTED]

---

**From:** "Michelle Hicks" <michellechicks@gmail.com>

**To:** "Lee Ann Potter" [REDACTED], "Anderson BOT Jennifer",

[REDACTED], "McDonald BOT Jean" [REDACTED],

"Steven Herbert" [REDACTED]

**Cc:** "asdauditor" <asdauditor@dowsers.org>

**Sent:** Thursday, March 10, 2016 8:15:46 PM

**Subject:** Re: Two other donations not deposited into WFH checking account.

What information have you learned is not available, that you would have expected to be available that is pertinent to an audit?

Can you elaborate on the beliefs that the auditors are aware that WFHF has regarding what has been happening? Beliefs... ASD is a scientific and educational organization. I'm at a bit of a loss here... I have a background as an analyst. I deal in facts, legislation, policies, procedures and numbers.

I can't speak to or speculate about what Steve may or may not have in his possession. I can assure you that if there are letters to/from ASD lawyers, that ASD lawyers were required to send the documentation to ASD and ASD was required to retain it for duration of the retention period indicated in the PPM.

Hypothetically speaking, if Steve was sent papers from a lawyer from ASD, he doesn't have to give it to you, that's his. (These are the kinds of things that blow my mind about this organization.)

If you are asking me about Steve, but haven't even contacted him yet, that's not really appropriate behavior, but I don't need to tell you that since you are the Chair of the Audit Committee and already know that.

I've found it hard to understand why ASD would waste donors money on lawyers, for matters that could easily be mediated by ASD members who are lawyers and would gladly donate their time. It's a hard enough expense for a legitimate business to justify let alone a non-profit organization. If each party wanted, I'm sure they could easily each have a lawyer who is a member represent their individual interests. Most legitimate nonprofits have a lawyer who sits on the board as a member and offers their time. Even

as a student, the nonprofit I managed at that time, had a lawyer and an accountant on our Board. WFHF does and we use them.

ASD was required to retain copies of founding documentation for WFH, have you noticed that you are painting Steve with the stuff of myths, a legend? He's just a regular guy.

If ASD as an organization is having an audit, why would you ask me about Steve specifically? I am confused. I thought audits and auditors were supposed to be objective and unbiased (the ones I have worked with are). You seem to have one person in your crosshairs. I'm confused by this. No one else from an organization with hundreds (maybe thousands) of members was singled out. It's a bit odd, it's not consistent with any auditing practice I am familiar with. If it's because the audit is focused on WFHF, WFHF is a Committee of people and always has been.

Earlier in the day, I sent you emails about three deposits, which ended up commingled in other accounts, and not where the donors specified and you didn't ask me anything about the individuals involved in those transactions. Those would have been reasonable and unbiased questions to ask.

I'm not going to tell you how I think you should do your audit. (I'm used to having had auditors rely on me to interpret legislation for them, doing site visits or educational visits with them, sending them out on enforcement issues and looking over samples with them). I'd suggest you might want to start with the PPM and then talk to Ingrid (that way you can stay relevant and efficient). You probably also want to have a good idea of who is actually legally responsible for what (that way you can stay relevant and efficient).

I've copied in our two BOT Liaisons (one who is our Chair). As a practice I copy the Chair in on my official correspondence. (You may have noticed in my earlier emails). I've also copied Steve in, as I have no intention of perpetuating any rumors about him, he should know he is being discussed by the Audit Committee, it's only fair.

As well, our two BOT members are always included in our meetings and votes, so WFHF always has a BOT presence and interest, it's required. WFHF does not have any signing authority or direct access to any of its accounts. These are handled by HQ. Nothing goes in or out of our account without HQ's knowledge. I'm not sure if you knew this or not.

If you are ever in doubt about how to proceed, I'd direct you to the State authority or the IRS. They can be most helpful.

**Principles of auditing • Ethical conduct • Fair presentation • Professional care • Independence • Objectivity • Impartiality • Evaluations based on evidence • Competence • Cooperation • Trust.**

*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 Dowzers Inc., Member of the Atlantic Society of Dowzers, Member of the American Society of Dowzers Inc., Member of the International Society of Dowzers and Research Association, Quantum Healing Hypnosis Therapy, and Vibrational Energy Therapy

Telephone: [REDACTED]  
Business Email: Michelle@MichelleCHicks.com

Facebook, LinkedIn, Twitter, Website: www.MichelleCHicks.com

On Thu, Mar 10, 2016 at 5:32 PM, Lee Ann Potter [REDACTED] wrote:  
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 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

On Thu, Mar 10, 2016 at 10:52 AM, Michelle Hicks <michellechicks@gmail.com> 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 Dowzers Inc., Member of the Atlantic Society of Dowzers, Member of the American Society of Dowzers Inc., Member of the International Society of Dowzers and Research Association, Quantum Healing Hypnosis Therapy, and Vibrational Energy Therapy**

  
Business Email: [Michelle@MichelleCHicks.com](mailto:Michelle@MichelleCHicks.com)

Facebook, LinkedIn, Twitter, Website: [www.MichelleCHicks.com](http://www.MichelleCHicks.com)

Lee Ann Potter

/\ \

## EWA Formation and WFHF Proposal Index

No Attachment - March 9, 2016: During a conference call, ASD's President, Marty Lucas, and Treasurer, Kevin O'Brien, made a clear Offer to the WFHF Committee to form their own non-profit or find one to which ASD would 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 501(c)(3) non-profit. This meeting was recorded and a transcript will disclose the clear terms of the proposal. When Marty and Kevin contacted what was then the WFHF Committee, it seemed to be a continuation of Annette's earlier suggestion (see mid-2015) and Marty's later comments to various ASD members.

No Attachment - Between March 10-12, 2016: Amy Loomis called Marty Lucas and informed him that several supporters of WFHF were accepting his offer and were forming a 501(c)(3) nonprofit in Idaho. She asked him what he needed to perform the transfer and he said, "keep it simple" - "just the incorporation documents and proof of 501(c)(3)".

Attachment 1 - March 13, 2016: Friends of Water for WFHF met and determined the name of the new non-profit through a collaborative downsing process. They then advised the two ASD Board Liaisons to the WFHF Committee that a non-profit was being formed.

No Attachment - March 15, 2016: Earth Water Alliance, Inc. (EWA) registers non-profit articles of incorporation in Idaho. Although the initial directors of EWA are members of ASD (two are lifetime members), the organization is completely independent of ASD.

Attachment 2 - March 29, 2016: EWA submits notice to ASD Board that it has responded to an invitation from the ASD President and Treasurer to form an unassociated non-profit organization for the purpose of transferring the WFHF assets. It requested a meeting of the full Board to vote on the matter as a show of Board support for the transfer upon completion of certain precedents including receipt of 501(c)(3) status by the IRS. EWA provided copies of incorporation documents as requested by the President of ASD.

Attachment 3 - April 15, 2016: EWA submitted a written proposal for the transfer of the WFH Fund and advised it would assume all of the functions of the WFHF including current and future projects. It offered to participate in the 26<sup>th</sup> annual celebration of WFHF at the June Convention. A copy of the Articles of Incorporation were included with the email and a copy of the Bylaws were submitted separately on April 18, 2016. EWA requested that the Board provide a vote of support for the transfer at an upcoming meeting with EWA on April 19, 2016.

Attachments 4, 5, 6, 7, 8 - April 16-18, 2016: As requested by the Board, WFHF Committee members and volunteers Susanne Dillon, Jose Cueto, Steve Herbert, Dan Prater, and Jean McDonald each submitted a letter of support for the transfer.

Attachment 9 - April 18, 2016: email from ASD President advising the BOT is looking forward to "hearing your plan." He requested documents, acknowledged letters of support, and expressed support. Requested By-Laws were subsequently sent the same day and BOT advised that 501(c)(3) application was being submitted to the I.R.S.

No attachment - April 19, 2016: Earth Water Alliance, Inc. submitted an application for 501(c)(3) status with the I.R.S. which was approved on April 26 with retro-active effect.

No Attachment - April 19, 2016: The ASD Board met with EWA Board of Directors (Amy Loomis,

Dreama Brower, and Sue Trumpfheller) to take the proposal under submission. The EWA Board members advised that the 501(c)(3) application had been filed and approval was expected shortly and that EWA understood that a transfer would not occur until the 501(c)(3) status was approved. EWA then responded to any additional questions from the ASD Board. The ASD Board advised they were not prepared to vote on the matter and would take it up at the regularly scheduled Board meeting on April 26, 2016. Conference call was recorded by ASD President Marty Lucas on his conference line.

Attachment 10 - April 22, 2016: ASD President email to EWA requesting mission statement and that we vet one of their India projects to show them how our vetting process works.

April 23, 2016: ASD President advised "simply referencing the work already done" (presumably by the WFHF Committee) would show we know what is required to vet an organization.

April 26, 2016: EWA responded to the ASD President stating that we were 1) responding to ASD's request and not asking for a grant from ASD, 2) our mission statement was dependent upon whether the WFHF would be transferred, 3) vetting process would include many of same procedures used by WFHF plus additional oversight and EWA could not vet an India organization on behalf of ASD, 4) EWA is committed to collaborative downsizing, and 5) EWA would not agree to require its officers to be ASD members since it planned to reach out to world experts in various fields.

April 26, 2016: The ASD Board met and went into Executive Session to discuss and vote on the proposal from EWA. No questions were asked of EWA prior to removing to Executive Session. Conference call was recorded by ASD President on the BOT conference line.

Attachment 11 - April 27, 2016: ASD advises EWA that the Board has rejected its proposal to assume the WFHF stating: "No time was given to the ASD BOT ... to get a proper legal review of the proposal," and that "EWA does not have a 501(c)(3), so funds cannot be transferred until it has one." They further advised that the BOT was not satisfied with the content of business plan, or that EWA's Bylaws did not mention its "mission, water, or funding water projects". It should be noted that EWA had previously advised the Board that additional documents including the mission statement and plan would be finalized and provided upon receipt of a vote of support from the ASD Board. The Board further stated that any further discussion regarding a transfer would be put on hold until after December 31, 2016.

Attachment 12 - April 28, 2016: ASD advises the WFHF Committee members as well as EWA that the Audit Committee (headed by Lee Ann Potter) determined the complaint against the office manager and a Board member were "baseless" (the WFHF Committee reports that the Audit Committee never interviewed anyone on the WFHF Committee). ASD also advised it has suspended the WFHF Committee and released all paid and unpaid employees.

Attachment 13 - May 16, 2016: EWA acknowledges BOT decision and responds to assertions made in their April 28 letter.

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





---

## Earth Water Alliance

1 message

---

Idaho Dowsers <idahodowsers@gmail.com>

Sun, Mar 13, 2016 at 2:00 PM

To: BOT Jennifer Anderson [REDACTED]

Cc: Dreama Brower <dreama.brower@gmail.com>, W Sue D Trumpfheller California Dowsers <[REDACTED]>, Idaho Dowsers [REDACTED]

Jean and Jenni

The Friends of Water for Humanity Fund met today to make decisions related to our new 501(c)(3). It was an awesome process and I love the outcome: Earth Water Alliance! After a lengthy process of Dowsing on names, phrases, looking up URLs and the tradename List, we finally got 100% Dowsing agreement to go with our new name. When the BOT transfers the water for humanity fund registered name it will work ~~we~~.

We will shortly have more information. Our new directors, Dreama, Sue T. and me would like to set up a phone call with you in the next few days to plan a smooth transition for proposing our new organization for the BOT vote.

Highest and best,

JE



*As liaison to the WFHF Committee, the nonprofit Earth Water Alliance has requested that I report to you and pass on this proposal:*

*As a result of several phone conferences with Marty and Kevin, Earth Water Alliance wishes to respond to the invitation of Marty and Kevin acknowledging that it may be in the best interests of both ASD and WFHF if WFHF be transferred to an independent nonprofit organization. Relying upon that invitation and in compliance with Marty's request, Articles of Incorporation have been filed and the 501c3 application is underway. Earth Water Alliance wishes to present the details of this proposal to the full Board for their consideration at a meeting at the earliest opportunity. This will allow sufficient time to fully provide each Trustee the documentation to demonstrate that there is a serious and well structured plan to carry on, without interruption, the heritage of Water for Humanity and recognize and honor the contribution of ASD as its sponsor.*

*The approach will be to bring about a transition in conjunction with the Celebration, at Convention, of the 26th Anniversary of WFHF by paying tribute to the great strides WFHF has made under the support of ASD and introduce the new beginning of an independent organization that will carry on the work of which ASD may be proud. This will be presented as a win/win event that allows WFHF to expand and feature the continuation of a great heritage that started with ASD. You will be presented with a well organized program that will honor the desire that Marty and Kevin explained to them.*

*It is Earth Water Alliance's hope that you will call such a meeting with this on the Agenda.*

*In addition during EWA's due diligence process, we discovered that Go Effect, an organization registered in Michigan, has been using the tagline " Water for Humanity " to raise funds for its mission to "raise the quality and quantity of drinking water in Tanzania". The use of this tagline is in direct conflict with WFHF's trademark and may be confusing donors who might believe they are contributing to the Water for Humanity Fund. In addition, they have set up a Facebook page titled Water for Humanity. Both the tagline and Facebook page infringe upon your trademark rights.*

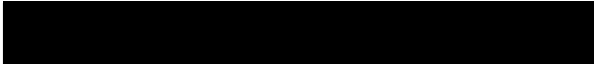
*We wanted to bring this matter to your attention so that you could take any necessary action to protect WFHF's trademark.*

*The directors of Earth Water Alliance are available at this time if you would like to ask them for additional information. They are: Amy Loomis, Dreama Brower, and Sue Trumpfeller.*

*Earth Water Alliance thanks you for this opportunity to address the Board.*







**RE: Earth Water Alliance's Response to President's Request to Form a Nonprofit**

1 message

President <president@dowers.org> Mon, Apr 18, 2016 at 9:11 AM  
To: Idaho Dowers <idahodowers@gmail.com>, ASD Board of Trustees <bot@dowers.org>  
Cc: California Dowers EWA Susan Ann Trumpfheller <[redacted]>, EWA Dreama Brower Nevada & Vermont Dowers <[redacted]>

The meeting tomorrow is at 8:00 PM Eastern Time. We will use the 605-562-3140 824865#

This is not a public meeting. This will be for WFHF committee members, trustees and Earth Water Alliance.

Thank you.

Marty

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

From: Idaho Dowers <idahodowers@gmail.com>  
To: ASD Board of Trustees <bot@dowers.org>  
Cc: California Dowers EWA Susan Ann Trumpfheller <[redacted]>, "EWA Dreama Brower Nevada & Vermont Dowers" <[redacted]>, Idaho Dowers <idahodowers@gmail.com>  
Date: Fri, 15 Apr 2016 12:18:01 -0500  
Subject: Earth Water Alliance's Response to President's Request to Form a Nonprofit

Members of the ASD Board of Trustees

In response to ASD's President Marty Lucas and Treasurer, Kevin O'Brien's invitation, in a meeting on March 9<sup>th</sup>, to form an independent nonprofit in which ASD transfers the Water for Humanity Fund, we are enclosing copies of Articles of Incorporation filed by Earth Water Alliance, Inc. on March 15, 2016 with the Idaho Secretary of State (see attached). Earth Water Alliance, Inc. is ready, willing, and able to assume all the functions of the Fund. Upon the transfer of all the property of the Fund and the assignment by ASD of all rights, future responsibilities and expectancies including all trademarks and working records, Earth Water Alliance, Inc. will assume all current and future projects.

Earth Water Alliance, Inc. shall also participate in the 26<sup>th</sup> annual celebration recognizing the contribution ASD has bestowed upon humanity and celebrating its achievements.

In accepting your offer we are demonstrating our good faith in your invitation and our intention for the highest and best good. We are requesting your advice on how this may be accomplished in the earliest possible time. We believe that it is imperative that the Water For Humanity Funds are 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 look forward to discussing this response and our proposal with you on April 19, 2016. Please email

BT

Board of Directors, Earth Water Alliance, Inc.

Amelia B. "Amy" Loomis, MSW, ACSW, CCHt, President ( [REDACTED] )

Dreama L. Brower, MSA, CPA, Treasurer [REDACTED]

Susan A Trumpfeller, BS, Secretary [REDACTED]

Attachment: Articles of Incorporation. Earth Water Alliance. Inc.

---

**3 attachments**



**EWAArticlesinc.pdf**  
1244K



**Untitled attachment 00378.htm**  
1K



**noname.eml**  
1731K

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*



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 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

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

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  


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 downsing-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.

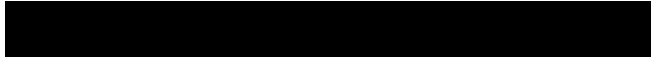
I know Dreama Brower as a long-time contributor to and supporter of the WFHF. Only in the last year, however, did her proficiency with internet technology come to light, when she accepted the invitation to become Facebook Coordinator for the WFHF. She has done a fabulous job, being proactive in adding 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



---

**Letter of support to transfer**

1 message

---

**Dan P. (dp)** [redacted]

Sun Apr 17 2016 at 10:45

To: ASD Board Of Trustees <bot@adowers.org>

Cc: Amy Loomis <idahodowers@gmail.com>, Steve Herbert [redacted] Dreama Brower

[redacted] Sue Trumpheller [redacted]

Jean McDonald [redacted]

Jennifer Anderson <[redacted]>

, Jose Cueto [redacted]

Sue Dillon

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

Sent from my iPad

THE UNIVERSITY OF CHICAGO

PHILOSOPHY DEPARTMENT

PHILOSOPHY 101

PHILOSOPHY 101

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

THE UNIVERSITY OF CHICAGO  
DEPARTMENT OF CHEMISTRY  
5800 S. DICKINSON DRIVE  
CHICAGO, ILLINOIS 60637  
TEL: 773-936-3700  
FAX: 773-936-3701  
WWW: WWW.CHEM.UCHICAGO.EDU



---


**Fwd: Tuesday's Meeting**

1 message

---

Idaho Dowsers <idahodowsers@gmail.com>

To: EWA Dreama Brower Nevada & Vermont Dowsers

California Dowsers" 

Mon, Apr 18, 2016 at 5:02 PM

"EWA Susan Ann Trumpfheller,

Sent from my iPhone

Begin forwarded message:

**From:** "Martin Lucas" <president@dowsers.org>

**Date:** April 18, 2016 at 2:22:29 PM MDT

**To:** idahodowsers@gmail.com

**Subject:** Tuesday's Meeting

Amy,

We are looking forward to hearing your plan tomorrow night. I am sure there will be questions. If you have a copy of the plan, by-laws and your 501(c3), I am sure it will go a long way towards getting this completed.

Let's be thinking about how we satisfy the members that are concerned we are 'giving away' WFHF. We have received the letters of support from several of the existing WFHF members, so that is good.

I appreciate the work you are doing. I know it cannot be easy, but when it is done properly, we all will benefit.

Thanks,

Marty

SECRET

CONFIDENTIAL

SECRET

CONFIDENTIAL

SECRET



## Re: Vetting and related matters

1 message

Idaho Dowsers <idahodowsers@gmail.com>

Tue, Apr 26, 2016 at 1:42 PM

To: Annette Weis

Cc: Martin Lucas

Susan Ann Trumpfheller

ASD Board of Trustees <bot@dowsers.org>, California Dowsers EWA  
EWA Dreama Brower Nevada & Vermont Dowsers

Annette, it's related to the recap and follow up questions that Marty had. Nothing new.

Sent from my iPhone

On Apr 26, 2016, at 11:24 AM, Annette Weis wrote:

Hi Amy, Is the proposal you are referencing in your latest email to Marty still the one that you did the in "Recap of 4/19/16 Conference Call..." or are you talking about a new one? The "Now we are proposina ..." is what makes my question the

On Tue, Apr 26, 2016 at 10:45 AM, Idaho Dowsers <idahodowsers@gmail.com> wrote:

Marty,

This email addresses several issues that you have raised, see below.

1. – **The purpose of our proposed plan.** Now we are proposing a transition plan for the fund in response to your stipulation that WFHF Committee find a new home,— a 501(c)(3). We are responding to your request. We are not asking for a grant at this time. Once our organization gets further down the road and we determine more specific objectives in our organizational plan, then it might be advisable to seek grants from a number of sources. We certainly will discuss with you the feasibility of this option.

2. – **Mission statement.** Until we finalize the plan to transfer the fund, we will not finalize our mission statement. If we transfer the fund, then Water for Humanity Fund® mission be our primary objective, maintaining and growing the fund and preserving its original intent.

3. – **Vetting of Grant Applicants and Their Proposals** - Our vetting process will include many of the current WFHF Committee's processes as well as oversight by our EWA Treasurer who has vetted organizations internationally. Additionally, my experience as a grant reviewer for the federal government as well as private foundations will allow me to bring a breadth of experience including application of logic models to evaluate the viability of the organization and their



proposed projects. We plan to apply our professional oversight to all aspects of a vetting process.

Originally you asked us to vet RPDS as a demonstration of our vetting capabilities, not "reference what had been done" by ASD as you later indicated below. We want to be careful to avoid the perception that EWA is providing the Due Diligence for ASD to rely on our representation. EWA cannot get involved other than to point out the PR issue this raises by ASD holding funds that are needed for a project that cannot continue even though they were promised the funds by ASD. Our board did not believe it was appropriate (legally advisable) to insert ourselves in your vetting process. We do not have a contract with you to do such work, and we do not have WFHF files.

**4. – EWA is committed to collaborative Dowsing and Intuition as a productive tool toward effective deliberation.** By maintaining the respective integrity of each governing body, each organization may be free to follow best practices, as each respective organization carries out their well reasoned and intuited policies.

**5. – Bylaws to incorporate requirement for EWA officers to be ASD members.** We plan on reaching around the world for experts in various fields and an ASD membership will not be a requirement. There are other national organizations in other countries that may be in leadership positions. It is essential that EWA avoid any potential possibility of confusion arising from overlapping memberships. We are a separate and autonomous nonprofit corporation.

Regards,  
Amy

Sent from my iPhone

On Apr 23, 2016, at 6:42 AM, Martin Lucas <president@dowsers.org> wrote:

I asked to see your vetting process and this was a good opportunity to show that one exists. So you are saying you don't have one?

Simply referencing the work already done would show us that you knew what is required. If you feel it is inappropriate to prove to us that you are willing to and able to vet your clients, then so be it....

Marty

On Fri, April 22, 2016 7:12 pm, Idaho Dowsers wrote:

Marty,

To be clear, you are not asking the WFHF Committee for information, the Committee that already vetted this project in India - you are asking a separate organization, Earth Water Alliance (EWA), to "vet" it again?

We are of the opinion that this is not appropriate, that you should ask your WFHF committee members to provide whatever information you need. And you should do so directly. Thus I am copying this email to them in case you do not have their email addresses. Please communicate further with them. ASD has already promised this project a grant and time is of the essence.

I will respond in a separate email to your EWA issues.

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

On Apr 22, 2016, at 10:30 AM, President <president@dowsers.org> wrote:

<image001.jpg>

Amy,  
Great initial meeting! I think we are on the same path. We want a credible and competent organization to carry on with the mission of WFHF and you want to do that mission. The Board will be discussing our call in depth and will no-doubt have additional questions.

In the meantime, there is no mention of your mission in any of your founding documents. (that we have seen). It would be comforting to see a mission statement in your By-Laws.

In addition, this is a good opportunity to see how your vetting process will work. The India organization only has a small blurb on the internet and Lisa can not lay her hands on the documents used to prove they are 'for real'. Since this is a long-time client I am sure that Steve has all of those records and can send you copies.

One of the reasons I would like to see how your vetting process works, is the addresses we have for the group are not the ones on the internet. There is also no other information concerning wells or how much money they collect or how much goes to their projects. This should be an easy issue since it is already approved....

In essence we are considering issuing EWA a major grant of the assets of WFHF. I want to make sure the records show we have done our due diligence.

Marty

(if putting together vetting packet is not possible, that is OK, this is certainly NOT a requirement, but it would be a nice to know.....)



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 3<sup>rd</sup> 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 27<sup>th</sup> 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

1945

1. The first part of the report deals with the general situation of the country and the progress of the war.

2. The second part of the report deals with the economic situation and the progress of the war.

3. The third part of the report deals with the political situation and the progress of the war.

4. The fourth part of the report deals with the military situation and the progress of the war.

5. The fifth part of the report deals with the social situation and the progress of the war.

6. The sixth part of the report deals with the cultural situation and the progress of the war.

7. The seventh part of the report deals with the international situation and the progress of the war.

8. The eighth part of the report deals with the future of the country and the progress of the war.

9. The ninth part of the report deals with the conclusion of the report and the progress of the war.

10. The tenth part of the report deals with the appendix and the progress of the war.

Thank you for your efforts to help us continue with the Water for Humanity Fund Mission. Your current proposal and deadline have been 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 cannot be transferred until it has one.
- 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.

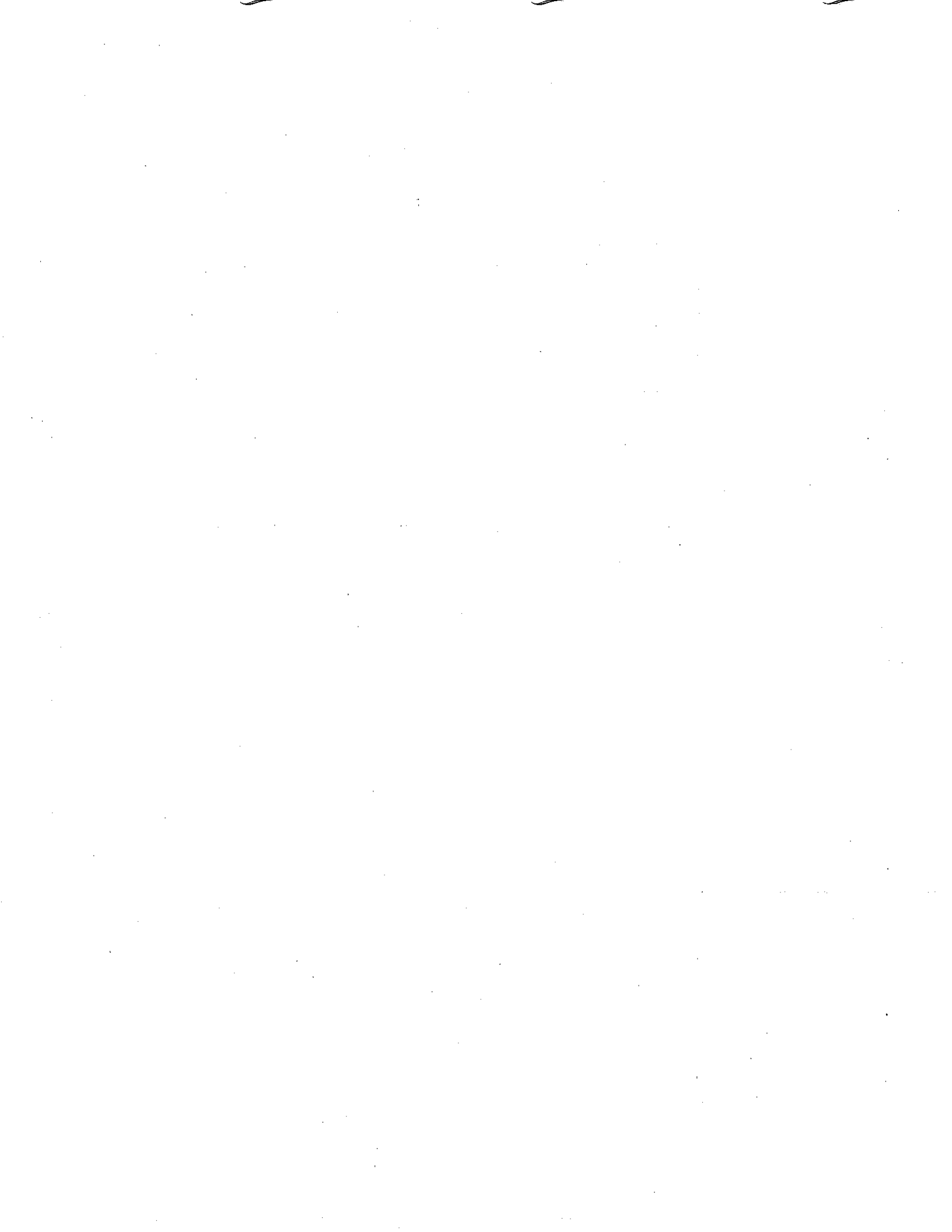
It is still the desire of several BOT members to move forward with this project, but these issues must be resolved in detail. Setting deadlines and making demands has not proven productive. In addition, the BOT has other pending issues that demand our time and energy.

Therefore, no further action will be taken by the BOT concerning the transfer of assets or mission until after December 31, 2016. Should BOT members and representatives of EWA wish to continue to work on crafting a viable plan; the ASD BOT will consider it then.

In the meantime, the current WFHF Committee is suspended and its' members released until either an agreement can be forged or the committee is reorganized.

Thank you,

Marty Lucas



May 16, 2016

To: Board of Trustees, American Society of Dowsers

It is with regret that we acknowledge receipt of your April 28<sup>th</sup>, 2016 decision to reject our proposal to transfer the Water for Humanity Fund<sup>®</sup> (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 9<sup>th</sup>, 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 15<sup>th</sup> called the Earth Water Alliance, Inc. (EWA)

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

- You wanted a 25<sup>th</sup> Anniversary Celebration for the Water for Humanity Fund<sup>®</sup> 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 19<sup>th</sup>, 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 27<sup>th</sup>, one day after the next regularly scheduled BOT meeting.

On April 28<sup>th</sup> 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 25<sup>th</sup> 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 29<sup>th</sup> 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 15<sup>th</sup> and 16<sup>th</sup>, 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 19<sup>th</sup> 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 14<sup>th</sup>, 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<sup>®</sup> 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:** Idaho Dowsers <idahodowsers@gmail.com>  
**Sent:** Saturday, March 12, 2016 6:22 AM  
**To:** Dan P. (dp)  
**Cc:** Jennifer Anderson; Jean McDonald; Steve Herbert; Dreama Brower; Michelle Hicks; Jose Cueto; Frankie Hutton; Beth Grace; Bill Getz; W Sue D Trumpfheller California Dowsers; W Susanne Dillon Rhode Island Dowser; Idaho Dowsers; W Rob Thompson California Dowsers  
**Subject:** Re: New Direction Teleconference

Dan, A few more thoughts to the Friends of Water for Humanity.

ASD, through it's President, Marty Lucas, has instructed us to move the charitable fund to a new nonprofit. He asked us to present a proposal to the BOT to do so. This proposal needs to include the paperwork for a state nonprofit and 501(c)(3) application.

Dreama Brower is our Point person for developing this content and its application to the appropriate state and federal agencies. She is exceptionally qualified for the task. Sunday she will review the process and we will do consensus dowsing on the decisions that have to be made in order for her to complete these applications. One of them is to recommend names for the application, 3 directors and the best state for this.

Once we have completed this paperwork and officially have a new charitable fund organization, we will submit this to Marty for BOT approval. The audit will help clarify the assets of the fund.

Although fears abound on both sides, we must act in good faith. Our job is to get Water for Humanity stabilized and growing again.

Apparently there are rumors of a new organization to compete with ASD being planned by another group. We are not that group and do not want to give that impression in any way, shape or form. This fund, Steve Herbert, and its committee have experienced excessive trauma, and needs our support and healing on so many levels. We do not want to fight. We look forward to a team of volunteers to help us build the fund and work with partner organizations to provide more safe water for all life around the planet. We are Dowsers and have many skills to bring to this mission.

Our focus and mission needs to be totally on caring for a charitable fund,-- transferring it, stabilizing it and coming up with ways to grow it and work with like-minded organizations. That's a big order and We're hoping to achieve this through your volunteer efforts, consensus Dowsing and building Goodwill. We are acting in good faith that if we do our part the BOT will support this.

To this end we will keep the BOT informed through our representatives to work out the details. Additionally, we need to work with Jenni on a plan for a presence at the convention. We will need volunteers for this. Sue Dillon and others (please volunteer) will coordinate with Jenni . We also need to explore how we will participate at the West Coast conference. And next year other regional conferences.

Thank you all for incredible work and support you have given to this effort. To quote Dan, "I'm not going to say much more because everything is possible and I don't want to limit the scope of great ideas and great people."

Amy Loomis  
Grant making advisor

PS please do not post on social media yet. This is extremely sensitive and needs to be treated as you would treat a new baby,-- with care and protection.

On Mar 11, 2016, at 10:26 AM, Dan P. (dp) [REDACTED] wrote:

Hello Friends of the WFHF, Sunday March 13th at 11am EST we are having a teleconference related to the recent agreement with the ASD President that we will be removing the Fund from ASD and moving in a new direction that is not in competition with ASD. We will be discussing potential names for the new entity and use Dowsing as our guide. I would suggest that everyone that has ideas for an organizational name email those to both myself a few hours prior to the call. Anyone that submits a suggestion or would like to be part of that distribution list will receive a reply prior to the meeting with a complete list of other suggested names from others.

To the best of my knowledge we are to become at a minimum a water resource based organization and hold the same/similar values as WFHF has always held. I'm not going to say much more because everything is possible and I don't want to limit the scope of great ideas and great people.

Call in # (641) 715-3580

PIN # 339-179

Sent from my iPad

**Powers, Michael**

---

**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 <[REDACTED]>, 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

**Powers, Michael**

---

**From:** [REDACTED]  
**Sent:** Monday, May 16, 2016 7:17 PM  
**To:** bot@dowers.org; John Pitkin  
**Subject:** Pitkin books donated to Water for Humanity

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

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 7:47 PM  
**To:** Idaho Dowsers  
**Subject:** Rejection Letters & Response to Rejection Letters  
**Attachments:** 2016 05-16 PDF EWAResponsetoRejectionLtr.pdf; ATT00001.htm; WFHF Committee Suspension-EWA-1.pdf; ATT00002.htm; PastedGraphic-1.pdf; ATT00003.htm; Marty4.28 Letter.jpg; ATT00004.htm; Marty4.28Letter page 2.jpg; ATT00005.htm

To Friends of Water for Humanity,

These are now public documents.

I have done all that I can to right the ASD wrongs, —push out upon push out (WFHF, EWA, Steven Herbert, Dan Prater, Michelle Hicks, Jose Cueto, Adhi Two Owls, Lisa McCrory, Bill Bonnell, Sandee Mac, Marty Cain, Kate Whitefield, Jax Willey, Don Black, and more than we can count.)

The ASD is keeping the Water for Humanity Fund. Please encourage friends and donors to make sure their donations are properly spent. Thanks for your trust and team work.

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

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 Dowsers [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 <dreama.brower@gmail.com>, 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 28<sup>th</sup>, 2016 decision to reject our proposal to transfer the Water for Humanity Fund<sup>®</sup> (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 9<sup>th</sup>, 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 15<sup>th</sup> called the Earth Water Alliance, Inc. (EWA)

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

- You wanted a 25<sup>th</sup> Anniversary Celebration for the Water for Humanity Fund<sup>®</sup> 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 19<sup>th</sup>, 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 27<sup>th</sup>, one day after the next regularly scheduled BOT meeting.

On April 28<sup>th</sup> 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 25<sup>th</sup> 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 29<sup>th</sup> 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 15<sup>th</sup> and 16<sup>th</sup>, 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 19<sup>th</sup> 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 14<sup>th</sup>, 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<sup>®</sup> 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

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 3<sup>rd</sup> 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 27<sup>th</sup> 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

Thank you for your efforts to help us continue with the Water for Humanity Fund Mission. Your current proposal and deadline have been 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 cannot be transferred until it has one.
- 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.

It is still the desire of several BOT members to move forward with this project, but these issues must be resolved in detail. Setting deadlines and making demands has not proven productive. In addition, the BOT has other pending issues that demand our time and energy.

Therefore, no further action will be taken by the BOT concerning the transfer of assets or mission until after December 31, 2016. Should BOT members and representatives of EWA wish to continue to work on crafting a viable plan; the ASD BOT will consider it then.

In the meantime, the current WFHF Committee is suspended and its' members released until either an agreement can be forged or the committee is reorganized.

Thank you,

Marty Lucas



**Powers, Michael**

---

**From:** Idaho Dowers <idahodowers@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](mailto: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

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

**Powers, Michael**

---

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

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 money frozen money in the WFHF.

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

In the past I've requested money be put 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:** 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 ASD On May 24, 2016, at 9:36 AM, President <[president@dowers.org](mailto:president@dowers.org)> wrote:

<Mail Attachment.eml>

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 59<sup>th</sup> 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





### **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](mailto: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](http://advancedgraphic.net)  
[whatreallyhappenedtotheoldman.com](http://whatreallyhappenedtotheoldman.com)

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?

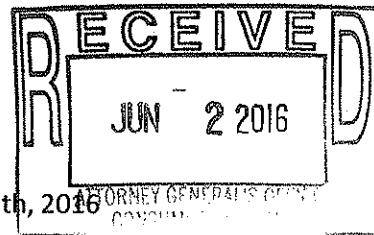
7. What amount was spent for the attorney and (non-certified CPA) auditor this winter/spring? Who authorized it? Had the auditor signed off on her threat of a potential lawsuit against ASD before being hired?
8. What action items have been approved by the Executive Committee? What were the votes? Why 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





May 27th, 2016

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

Dear Attorney General Sorrell,

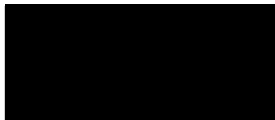
As a caring member of a nonprofit organization in VT, I regret to have to let you know of my concern about The Water for Humanity Fund (WFHF), the charitable arm of The American Society of Dowsers (ASD). I am writing this as a present member of the board of trustees (for the last 11 months), finding 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





## AMELIA B LOOMIS, MSW, ACSW, CCHt

### Curriculum Vitae

Cell Phone: [REDACTED]

Mailing Address: LodeStar Transformations™, LLC  
2976 E State St., STE 120-225, Eagle, Idaho 83616

Email: IdahoDowsers@gmail.com

### Publications

- Loomis, Amelia B., *A Sense of Community*, The American Dowser Quarterly Digest, Vol 37, #1, Winter 1997, pp. 59-60.
- Loomis, Amelia B. and Rhonda Simpson, *Teen Pregnancy: A Blueprint for Comprehensive Prevention and Parenting Programs for the California Schools*, California Department of Education, 1990.
- Loomis, Amelia B., Carol Korenbrot and Claire Brindis, TAPP Manual for *School Dropout Prevention: Continuous Case Management + Site Support = School Retention*, 1987
- Brindis, Claire, Richard P. Barth, and Amelia B. Loomis, *Continuous Counseling: Case Management with Teenage Parents*, Social Casework: The Journal of Contemporary Social Work, Family Service of America, 1987.
- Carol C. Korenbrot, Ph.D., Jonathan Showstack, M.P.H., Amy Loomis, M.S.W., Claire Brindis, Dr.P.H, *Birthweight Outcomes in a Teenage Case Management Program*, Journal of Adolescent Health Care, Accepted: May 17, 1988 for March 1989 Volume 10, Issue 2, Pages 97-104. [http://www.jahonline.org/article/0197-0070\(89\)90096-X/abstract](http://www.jahonline.org/article/0197-0070(89)90096-X/abstract)
- Philliber Research Associates and Amelia B. Loomis, Expanded Complementary Health Outcomes (ECHO) Project, *Grantmakers and Complementary Health: Their Current Activities and Interests*, May 1998.

### Degrees, Licenses, Credentials, & Certificates

- University of California, School of Social Welfare, Berkeley, *Masters of Social Welfare (MSW)*, 6/9/1966;
- Undergraduate Education: Wheaton College, Illinois, Bachelor of Arts, Major in Psychology, Minor in Literature, 1959-1960, & 1961-1963 & Certificate of Honor, June 10, 1963; Boise Junior College, Associate of Arts, Boise, Idaho 9/14/1960-6/4/1961; Donnelly-McCall High School, Diploma, McCall, Idaho 1959, Salutatorian Address.
- Certified Clinical Hypnotherapist (CCHt)*, (HT 513-170), Regression Specialist, 10/25/2014, American Council of Hypnotist Examiners (ACHE), March 30, 2013-December 31, 2014.
- National Association of Social Workers - *Academy of Certified Social Workers (ACSW)*, 1968 - Present.
- Reconnective Healing<sup>®</sup>, *The Basic Truths and Frequencies of Healing<sup>®</sup>, Level I/II*, Eric Pearl, Certificate of Completion, San Francisco, CA, March 13 - 14, 2010.
- The Church of Spiritual Humanism. *Ordained Clergy*, #182646, 4/18/08 – present.
- State of California, Board of Behavioral Science Examiners, Licensed Clinical Social Worker (LCSW), State of California, LCS #006301, 10/25/77 - 8/31/1999.
- State of California, Standard Designated Services Credential with a Specialization in *Pupil Personnel Services*, #245 (Life), State of California, 6/9/1966 to present. Administrative Service Credential #940063197/119803 authorizes holder to serve as superintendent, principal, supervisor, and related positions. 5/27/1994- 6/1/1999.

### Continuing Education

- American Council of Hypnotist Examiners (ACHE), 30 hours continuing education certification, 26<sup>th</sup> International Hypnotherapy Conference, Pasadena, CA, May 3-5, 2013.
- Hypnotherapy Training Institute, *Accelerated Hypnotherapy Training*, Levels I-IV, 200 hours, March 1-30: 2013. Diploma, Advanced Hypnotherapist, March 30, 2013, Corte Madera, CA.
- Second Annual Alternative Therapies Symposium. *Creating Integrated Healthcare: Exploring the Forces of Healing*, Certificate of Attendance, Orlando, Florida, April 16-19, 1997.

Beijing University, San Rafael, CA. *Tibetan Qi Gong*, 3 Trainings, April - May, 1997.

California Psychological Association Accrediting Agency. *EEG Biofeedback Theory and Practice*, 40-hour, Approval #EEG-001 Course Code # EEG001-02-11 12/4-8/1997.

California State College, *Introduction to Psychometry*, Sonoma, 3 credits, Fall 1973.

California State University. *Behavior Modification in the Classroom*, San Francisco, 3 credits, 9/20/72.

Cambridge Graduate School of Psychology. *Child Abuse Assessment and Reporting*, San Francisco, 8 hours, 2/21/88.

*Christopher Healing Method Advanced Therapy & Body Magnetics Therapy*, Certificate of Completion Masters Series I-II, GT Group, May 29, 1997.

*Center for Non-Violent Communication (CNVC)*; 14 hour training, 40 hours in practicum. Hamilton, MT, 2003.

Four Winds. *Healing the Luminous Body: The Way of the Shaman in the South*, Alberto Villoldo, Ph.D., Joshua Tree, CA, 11/7-12/09

Harvard Medical School, The Mind/Body Institute. *Spirituality and Healing in Medicine II*, 20.5 credits, NASW Authorization #D26,870, Herb Benson, Continuing Education Certificate, Los Angeles, CA, March 15-17, 1997.

Hay House, The Writer's Workshop, San Diego, April 2-3, 2011.

Holos Institutes of Health, Inc.<sup>R</sup> *Vision, Creativity, and Intuition - The Science of Intuition*, Part I & II, C. Norman Shealy, MD, PhD & Caroline M. Myss, Ph.D., 1997-1998.

Institute for Behavioral Healthcare. *Practice Guidelines for Bipolar Disorder and Practice Guidelines for Schizophrenia*, 4 credit hours each, Seattle, WA, January 25, 2002.

American Medical Association, Washington State. *JACHO'S Pain Standard and CAM*, Office of Continuing Medical Education, Seattle, WA 2002.

La Facultad de Medicina de la Universidad del Azuay, Cinterandes, Dr. Edgar Rodas & Young Living Internacional. *Essential Oils Seminar*, Ecuador, October 10-12, 2005, 20 hours Certificate, Primer Seminario Internacional de Aceites Esenciales, 1992.

National Association of Social Workers (NASW), *Diagnosis in Depth-DSM Updated*, 12-hours each, Oakland & SF 2/14/97 & 8/14/98.

Planctree. *The Uses of Imagery in Medicine: Psychophysiological Model, Images, Assessment and Treatment, Case Supervision, Transpersonal Medicine in the Healing Process*, Jeanne Achterberg, PhD & G. Frank Lawlis, PhD, Year long training, 64 hours over 4-weekends, San Rafael, CA, 1996-97.

PSYCH-K with Bruce Lipton, Ph.D. and Robert Williams, M.A., Seattle, WA 2003; *PSYCH-K Advanced* with Larry Valmore, MSW, Boise, ID, April, 2006. (Energy Psychology)

San Francisco Unified School District Continuing Education. *Leadership Skills in Parent Education*, 8 hrs., 11/5/75; *Principles and Practice in Pupil Services*, 1 u. 6/5/76; & *Multi-cultural Family Values*, 32 hrs, 5/8/76..

Scientific Holistic Aromatherapy Conference, 7<sup>th</sup>. *Cancer, Autoimmune and Degenerative Diseases*, San Francisco, February 20 -22, 2009.

Stanford Institute for Cortex Research and Development. *Listening to the Body, Understanding the Language of Stress-Related Symptoms*, Certificate of Completion, 1996.

The Association of Comprehensive Energy Psychology (ACEP). *Energy Assessment, Intervention Methods and Ethics Course*, Certificate of Attendance 22.5 hours, David Gruder, PhD, DCEP & Mary Hammond, MA, DCEP, Denver, CO, June 24-26, 2007; 16th Annual International Energy Psychology Conf., AZ, 24 hours, May 29-June 1, 2014.

The International Society for the Study of Subtle Energy and Energy Medicine (ISSSEEM), 12<sup>th</sup> Annual. *The Co-Creation Process in Energy Medicine*, 43.75 Contact Hours, June 14-19, 2002.

University of California Extension at Santa Clara *Thirst for Wholeness: Addiction, Recovery, and Spirituality*, Christina Grof, 8 credits, PSYC X480.19, November 2-5, 1996.

University of California Extension, Berkeley. *Ericksonian Hypnosis*, 1974, *Psychosoma: the Role of Stress in Disease* 2 u. 9/26/72; *Introduction to Gestalt Therapy* 1 u., 11/18/72.

University of Montana *The Healing Arts in American and Asian Cultures: A Conference on Living and Dying Well*, Missoula, Missoula, MT, October 16-20, 1998.

U.S. Department of Health, Education and Welfare, Children's Bureau, National Center on Child Abuse and Neglect & Urban & Rural Systems Associates (URSA). *Diagnosing and Treating Child Abuse and Neglect*, 35 hour training, 4/30/1976.

WONMP World Organization of Natural Medicine Practitioners, La Organizacion Mundial de Facultativos de la Medicina Natural, 40 hours October 14-16, 2005, Quito, Ecuador.

### **Leadership and Honors**

California Alliance Concerned with School-Age Parents (CACCSAP) Vera Casey Award, *In Recognition of Your Dedication for Providing Valuable Services to the Teenagers and Professionals in the Field of Teenage Pregnancy and Parenthood*, 1987.

Foundation Consortium for School-linked Services. Award *In Appreciation for Outstanding Service As Officer of the Board*, San Francisco, CA, 1992-1996.

Good Morning America Special Guest, "Teen Fathers: Can We Help?" Highlights from the development of the first comprehensive program for teen fathers in San Francisco, New York, 1985.

Phil Donahue Show Special Guest, "Teen Fathers," Chicago, 1986.

San Francisco Board of Supervisors. Certificate of Honor presented by the in appreciative public recognition of distinction and merit, May 2, 1983.

San Francisco TAPP Consortium Certificate of Appreciation presented for *Outstanding and Dedicated Service for the Past Eight Years*, 1989.

White House Ceremony, honored as *one of 75 National Leaders for Youth 2000*, Washington DC, 1988. Youth 200 Initiative, National Leadership Forum Activities, Washington D.C., 1986-89.

YWCA San Francisco/ Marin/ San Mateo. The Next Generation Award *For Outstanding Service to Women and Girls*, April 24, 1990.

High School Achievements: 1959 National "Make-It-With-Wool" Winner; 1959 National Thespian Society, Idaho State Debate and Speech Championships; 1958 Idaho Girls State; 1958 National 4-H Club Congress, 1957 Idaho Cherry Pie Baking Champion, National Thespian Society, & Syringa Girls' State, 1958.

### **Program Consultation, Workshop Presentations and Training**

American Orthopsychiatry Association Conference, Panelist, "The Dropout Dilemma: Potential for Effective Multi-Disciplinary Intervention," San Francisco, CA, '87.

American Society of Dowsers (ASD) - Conventions, "LodeStar Transformations™ of Samskaras", Lyndonville, VT, 2013, Southwest Dowsing Conference, 2013, and West Coast Conferences, Santa Cruz 2014 & 2016 and the San Jose Chapter, 2015; "Dowse Your Way to Health," Vermont, 1988; West Coast Conference, Santa Cruz, C, 1989. Golden Gate Chapter, "Christmas/Solstice Feast: Group Intuitive Cooking," Golden Gate Chapter, 1995; "Word Dowsing-Key to Better Guidance," Corte Madera, CA, 1998, "The Power of Intention" workshops in Montana, Idaho and California Chapters of ASD, 2006-2009. Published article in Golden Gate Chapter Newsletter: "More than a Christmas/Solstice Feast," 1996.

Annie E. Casey Foundation, National New Futures Institute Trainer, "Methodology for Case Management with School Dropouts and High Risk Youth," Connecticut and Vermont, 1988.

Banks Street College, Trainer, National 6-state Initiative, "Case Management for Teen Fathers," New York, 1984-85.

California Medical Social Workers, Conference Speaker, "Why Teen Pregnancy," Oakland, California, 1980

California Alliance Concerned with School-Age Parents, "Support for Teen Fathers, Health, Education, and Social Services for Teen Parent Families" Santa Barbara, CA, 1985.

California Alliance Concerned with School-Age Parents, Pre-conference Presenter: "School-Based Comprehensive Services for Teen Parents and Other Youth at Risk of Teen Pregnancy and School Failure," Nov 1991.

California Alliance Concerned with School-Age Parents, Workshop Presenter, "Case Management/An Interdisciplinary Approach," Santa Barbara, CA, 1985.

California Association of Social Workers, National Conference on School-Linked Integrated Services, Presented 2-day Workshop on Models of Case-Management, 1990.

California Department of Health, California Adolescent Family Life Programs, Trainer for 29 Sites, "Case Management: An Overview," 1986.

California PTA, Delegate, State PTA Parenting Conference, Monterey, California, 1979.

"Getting to Know Your Intuition," June 14 & July 27, 1998, Montana and ongoing.

Grantmakers in Health, Workshop Presenter: "Foundations and Collaboration," Grantmakers in Health Conference, San Diego, CA, 1994.

Grantmakers on Children and Youth, Workshop Panelist, "How to Establish a Citywide Network to Improve Outcomes for Teen Parent Families," San Antonio, Texas, 1987.

Mathmatica, Training for Illinois and New Jersey State Welfare Departments: Case Management for Teen Parents: Chicago, Illinois. 1987.

Milwaukee Public Schools, Performed Audit Milwaukee School Age Parents Programs, 1985.

Mountain States Health Corporation, Designing State-wide Teen Pregnancy and Parenting Program, Boise Idaho, 1984.

Nampa Public Schools, Technical Assistance to Develop School Programs for Pregnant and Parenting Teens, Nampa, Idaho, 1984.

National Conference on School Dropout Prevention, Workshop Presenter: "Case Management with Youth in California SB' 65 School Programs," San Diego, April 1989. Repeated workshop in two subsequent California conferences.

National Organization of Adolescent Pregnancy and Parenting, Conference Presenter, "An Interagency City-Wide Service System Model for Serving Pregnant Teens and Teen Parents," Texas, 1983.

New England Conference on Troubled Adolescents, Conference Speaker, "Case Management for Pregnant and Parenting Teens," Sturbridge, Massachusetts, 1986.

New Leaf Book Store, "Pendulums: Dowsing your Intuition," Larkspur, CA, 5/22/96.

Orange County Teen Parent Network, Trainer, "Making Case Management Work in Orange County," Anaheim, California, 1985.

Oregon State Teen Pregnancy Conference, Speaker, "How to Establish a Community Network to integrate Health, Education, and Social Services for Young Families," Oregon, 1980.

San Bernardino Teen Parent Network, Trainer, "Case Management in San Bernardino County," San Bernardino, CA, 1985.

San Diego City Schools and the County Teen Parent Network, "Designing School-Linked Programs for Pregnant and Parenting Teens," California, 1986.

San Francisco Child Abuse Council, Chaired City Agency Multi-Disciplinary Conference Committee, 1973-74.

Santa Barbara Teen Parent Network, Training in Development of County-wide Service Delivery System for Teen Parents and Their Families, Santa Barbara, California, 1984.

St. Margaret's Hospital Conference on Adolescent Sexuality, Speaker, "Management of Long-Term Counseling Services within a City-Wide Interagency Network," Boston, 1983.

TIDE Conference, California Department of Education-Vocational Education Division, Workshop Presenter, "California Workfare and Teen Parents," San Diego, CA, 1987.

University of California at Berkeley, School of Social Welfare and San Francisco State University - Field Supervisor for Social Work, Counselor and Public Administration Students, 1974-1989.

URSA Institute, Trainer: Adolescent Pregnancy Programs/Data Management, San Francisco, 1984.

US Department of Health and Human Services, Region IV Conference on Adolescent Pregnancy, Speaker and Workshop Facilitator, "Building Effective Coalitions for Action," FL, 1984.

US Department of Health and Human Services, Regions VII, VIII, IX and X Conference, New Perspectives: Monitoring Child and Adolescent Health, Speaker, "Using Data to Justify, Plan and Evaluate Programs," Berkeley, 1984.

US Department of Labor, Presenter, "Teen Parent Employability Programs," Washington, D.C., 1988.

US Office of Adolescent Health, OPHS, Teenage Pregnancy and Prevention: Replication of Evidenced-Based Programs (Tier 1), Panel Chair, Washington DC, July 14-16, 2010.

US Office of Adolescent Pregnancy, US Department of Health and Human Services, Trainer for Grantees, Miranda Associates, Inc., Trainer for Staff and Grantees, Wash., D.C., 84-85.

US Office of Adolescent Pregnancy, US Department of Health and Human Services, Grant Reviewer, 1999-2007, Trainer for Grantees, "The TAPP model and Its Replication," Wash., D.C., 2006.

US Office of Adolescent Pregnancy, US Department of Health and Human Services, Trainer for Grantees, "The Network: Systems Level Case Management," Wash., D.C., 1985.

US Office on Women's Health, Office of Public Health and Science, Office of the Secretary, Department of Health and Human Services, Grant Reviewer: Coalition for a Healthier Community, Washington DC, September 7-9, 2010.

### **Organizations and Boards**

American Civil Liberties Union (ACLU), 2016-present.

American Council of Hypnotist Examiners (ACHE), March 30, 2013 CHT.

American College of Traditional Chinese Medicine (ACTCM), Board of Directors, 1995 to 1999

American Society of Dowsers, 1987 – 2011, Life Member; ASD Vision Committee, 2013-present.

Idaho Society of Dowsers, President 2011-present.

Association of Comprehensive Energy Psychology (ACEP), 2013-Present.

Association for Transpersonal Psychology (ATP), 2013-Present

Balboa School-based Health Clinic, Co-founder and Advisory Board, 1985-88.

Balboa-San Miguel Parent and Infant Center, Co-founder and Advisory Board, 1980-88.

California Alumni Association, UC Berkley, #931605, 1966-present.

California Alliance Concerned with School Age Parents, Board of Directors, 1979-1987, Past President, 1985.

Center for the Study of Empathic Therapy, Education & Living, Member 2013-present.

Energy Kinesiology Association (EnKA®), Member 2014-present.

Echohawk Estates Homeowners Association, Eagle, Idaho, President, March, 2014-November, 2015.

Foundation Consortium on School-Linked Services, Co-founder, Vice-Pres & Exec Committee, 1990-1996.

Friends of the Bitter Root, Hamilton, Montana., member, 2000-2003.

Geothermal Resources Council, member, 2007-2009.

Herb Research Foundation, member, 1994-1998.

Institute of Noetic Sciences (IONS), 1994-Present, Community Representative of Montana Chapter, Community Presentations in Boise, SF Bay Area and Montana, funder of research projects.

ISSSEEM International Society for the Study of Subtle Energy and Energy Medicine Member, 1996-present.

Marin County Alcohol and Drug Abuse Advisory Committee to the Marin County Board of Supervisors, April 1996-98.

Marin Montessori Corporation, Board of Directors, 1975-1978 and President, 1977-1978.

National Association of Social Workers (NASW), 1968-present.

Ozark Research Institute, Inc. 2013-present.

PsychoNeuroImmunology Research Society (PNIRS), member 2013-present.

San Francisco Delinquency Prevention Commission, 1981-88.

San Francisco Maternal Child and Adolescent Health Advisory Board appointed by SF Board of Supervisors, 1983-1986.

San Francisco SAN FRANCISCO CHILD ABUSE COUNCIL, Board of Directors, 1974-1977.

San Francisco School-Based Health Clinics Task Force, Chair, 1984.

San Francisco Task Force on Positive Parenting, Co-Chair, 1978-1981.

Sierra Club, 1966-1977, 2016 to present.

Southern Poverty Law Center, 2016-present.

Valley County Geothermal Energy Team, Member, 2006-2009.

Valley County Pathways, Inc. Member 2005, President 2008, and Board of Directors 2006 - 2010.

WindSong Property Owners Association and WindSong Community Dock Association, Cascade Lake, ID, Co-founder, Positions have included Board Member and Secretary Treasurer, 1998 - Present.

Women's Voices for the Earth, Montana, Member, 2000-2009.

### Professional History

- Earth Water Alliance<sup>SM</sup>, Inc., Co-founder and President 2016-present.
- LodeStar Transformations<sup>TM</sup>, LodeStar Hypnotherapy<sup>TM</sup>, and LodeStar DreamWork<sup>TM</sup>, Founder; Trainer, Writer, and Clinical Hypnotherapist. Currently practices metaphysical and transpersonal hypnotherapy for recovery support, educates healing arts professionals to incorporate these methods into a variety of clinical and self-care approaches. 2012-Present.
- WindSong LLC, Inc., Managing Partner, Consultant, Hypnotherapist, Trainer, Grant Reviewer and Writer, 1997 - Present.
- Stuart Foundations, Program Officer – Funded projects to improve outcomes for children, youth and families, and prevent teen pregnancy. Portfolio included public-private partnership collaboration, research and evaluation, 1989-1996. San Francisco, CA.
- Marin Creative Options, Inc., Consultant, 1980-89, President and CFO, 1989-2000. Mill Valley, CA.
- The East Bay Community Foundation. Director, ECHO - Expanded Complementary Health Outcomes: Foundation Strategies for Serving Children, Youth and Families, January, 1997-1999. Oakland, CA.
- San Francisco Unified School District (SFUSD), School Social Worker and Program Administrator, 1967-89:
- Coordinator and Social Worker, Special Service Centers for Pregnant/Parenting Teens, 1967-1972.
  - Elementary School Social Work Services, 1972-1978.
  - Field Supervisor for Social Work, Counselor and Public Administration Students, 1974-1989.
  - Developed and Coordinated the SFUSD Child Abuse Program, 1975-1980.
  - Pre-Kindergarten Program, Social Worker, 1979-1981.
  - School Program Quality Review Monitor, "Effective Schools," 1984-87.
  - Developed and coordinated with the San Francisco Family Service Agency, the Teen-Age Pregnancy and Parenting Program (TAPP), a 36-partner inter-agency comprehensive case-management system for teen parents and their families, 1981-89. This included writing grant proposals funded by: US Office of Adolescent Pregnancy Demonstration Programs 1981-1992, U.S. Departments of Education and Labor, School Dropout Demonstration, 1987-89, California Department of Social Welfare, GAIN Teen Program for AFDC School Dropouts and Teen Parents (Cal-Learn) 1988-89, California Department of Education - "Infusion of parenting and child development curriculum into district-wide middle and high school core curriculum," 1987-88, California Department of Education "LAPSIT" in partnership with Public Library, 1988-89, and Miranda Lux Foundation, Apple, and Koret Foundation 1988-89.
  - Developed training materials and facilitated the replication of this model program in 45 California communities

of the California State Department of Health's Adolescent Family Life Program, 1984-2009. Additionally it was replicated in several states including the Illinois and New Jersey State Welfare Departments and Terry Reilly Health Services with the Nampa Public Schools, Idaho. The teen father program became a national model featured on Good Morning America and Phil Donahue. It was replicated in a six-state initiative, 1983-87.

San Francisco Department of Child Welfare, Child Protective Services, 1966-1967.

San Francisco Juvenile Court, Probation Officer, June - September, 1965, Summer + Internship Placement 1964-65.

Downey VA Neuropsychiatric Hospital, Social Work Assistant, Downey, Illinois 1963-65.

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 24<sup>th</sup>, 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

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 25<sup>th</sup> 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 25<sup>th</sup> 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](#)

## 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  
Christmas

November  
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 Dowsers 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 Dowzers, 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 matter 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 Dowsters 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 Dowsters, 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 Dowsers 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 dowzers 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 Dowzers, 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 17<sup>th</sup> 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 17<sup>th</sup> 2013

## DOCUMENT DESTRUCTION AND RETENTION

## 1. Policy and Purposes

This Policy represents the policy of The American Society of Dowzers, 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.

<u>Document Type</u>	<u>Retention Period</u>
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
<b>Contributions/Gifts/Grants</b>	
Contribution Records	Permanent
Documents Evidencing Terms of Gifts	Permanent
Grant Records	7 yrs after end of grant period
<b>Corporate and Exemption</b>	
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
<b>Correspondence and Internal Memoranda</b>	
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
<b>Electronic Mail (E-mail) to or from the organization</b>	
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
<b>Electronically Stored Documents</b>	
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 17<sup>th</sup> 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 its 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 al., 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 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 31<sup>st</sup> 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).....\$25<sup>th</sup>

\*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 Dowsters verified in the following categories:

Water

Personal Well Being

Lost

Ancient Wisdom/Spirituality

Earth Energies

- 2) Members of the American Society of Dowsters 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 involvement 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 involvement 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 28<sup>th</sup> 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 WFHF.

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 WFHF 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 WFHF 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 WFHF 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 WFHF for those beneficial purposes as deemed appropriate by Committee.
- b. Restricted Funds are defined as monies donated, granted or bequeathed to the WFHF for specific purposes as designated by the donor.
- c. Management of Funds
  - (1) All monies received for the WFHF shall be placed in an interest bearing savings and/or checking account separate from any non-WFHF 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. Dowsing 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 least 18 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](http://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 solicit 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](http://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](http://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 – 2 <sup>nd</sup> wk Oct 04
Cover letter and questionnaire to all potential candidates	+3 wks to return	34 – 3 <sup>rd</sup> wk Oct 04
Bios due to Chair		31 – 2 <sup>nd</sup> 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 -- 3 <sup>rd</sup> 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-- 2 <sup>nd</sup> 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 – 1 <sup>st</sup> 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 1 <sup>st</sup> 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-winter 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 Statute '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 its 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 simple 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) Slandorous 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



## ATTORNEY REVIEW

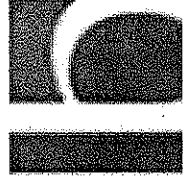
Dear Annette and Ms. Potter,

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

May 16, 2016

To: Board of Trustees, American Society of Dowsers

It is with regret that we acknowledge receipt of your April 28<sup>th</sup>, 2016 decision to reject our proposal to transfer the Water for Humanity Fund<sup>®</sup> (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 9<sup>th</sup>, 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 15<sup>th</sup> called the Earth Water Alliance, Inc. (EWA)

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

- You wanted a 25<sup>th</sup> Anniversary Celebration for the Water for Humanity Fund<sup>®</sup> 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 19<sup>th</sup>, 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 27<sup>th</sup>, one day after the next regularly scheduled BOT meeting.

On April 28<sup>th</sup> 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 25<sup>th</sup> 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 29<sup>th</sup> 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 15<sup>th</sup> and 16<sup>th</sup>, 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 19<sup>th</sup> 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 14<sup>th</sup>, 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<sup>®</sup> 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

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 3<sup>rd</sup> 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 27<sup>th</sup> 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

Thank you for your efforts to help us continue with the Water for Humanity Fund Mission. Your current proposal and deadline have been 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 cannot be transferred until it has one.
- 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.

It is still the desire of several BOT members to move forward with this project, but these issues must be resolved in detail. Setting deadlines and making demands has not proven productive. In addition, the BOT has other pending issues that demand our time and energy.

Therefore, no further action will be taken by the BOT concerning the transfer of assets or mission until after December 31, 2016. Should BOT members and representatives of EWA wish to continue to work on crafting a viable plan; the ASD BOT will consider it then.

In the meantime, the current WFHF Committee is suspended and its' members released until either an agreement can be forged or the committee is reorganized.

Thank you,

Marty Lucas

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 25<sup>th</sup> 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 25<sup>th</sup> 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 ASD'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 O'Brien, the ASD Treasurer, co-signs all checks over \$600. To my knowledge, neither Lisa LaCoss, the bookkeeper, nor Kevin O'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 verification. 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, ASD'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 don'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 losing 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 "Amy" Loomis, MSW, CCHt  
[IdahoDowers@gmail.com](mailto:IdahoDowers@gmail.com)

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 Dowsters, 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 WFHF 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 WFHF 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 WFHF for those beneficial purposes as deemed appropriate by Committee.
- b. Restricted Funds are defined as monies donated, granted or bequeathed to the WFHF for specific purposes as designated by the donor.
- c. Management of Funds
  - (1) All monies received for the WFHF shall be placed in an interest bearing savings and/or checking account separate from any non-WFHF 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.



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

Proposed Plan to Transition  
Water for Humanity Fund<sup>®</sup> from ASD to EWA

Summary of Critical Dates:

- March 9<sup>th</sup>, 2016 President Marty Lucas and Treasurer Kevin O'Brien asked Water for Humanity Fund<sup>®</sup> (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<sup>SM</sup>, Inc. (hereafter EWA) filed Articles of Incorporation with the Idaho Secretary of State.
- April 10<sup>th</sup>, 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 27<sup>th</sup>, 2016, upon approval of the transfer by ASD Board of Trustees on April 26<sup>th</sup>, EWA will begin the following plan:

1. Begin Fund preparations for ASD's Convention. Our goal is to participate in the celebration of the 25<sup>th</sup> anniversary of the conception of Water for Humanity Fund<sup>®</sup> 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<sup>®</sup> 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<sup>®</sup>), 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 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'. Douser(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)" <cardowser@gmail.com>

**Subject:** Letter of support to transfer

**Date:** April 17, 2016 at 8:19:46 PM MDT

**To:** ASD Board Of Trustees <bot@dowers.org>

**Cc:** Amy Loomis <idahodowers@gmail.com>, Steve Herbert

[REDACTED] Dreama Brower

[REDACTED] Sue Trumpfheller

[REDACTED] Jean McDonald [REDACTED]

Jennifer Anderson [REDACTED]

Jose Cueto

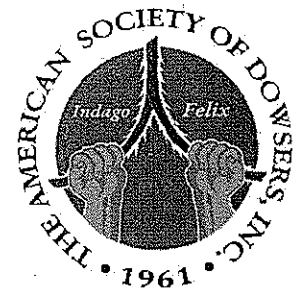
[REDACTED] Sue Dillon <[REDACTED]>

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

# The American Society of Dowsters

PO Box 24, Danville, Vermont 05828 (802)684-3417 Fax: (802)684-2565  
[www.dowers.org](http://www.dowers.org) [asd@dowers.org](mailto:asd@dowers.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 27<sup>th</sup> 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



- Sandee Mac

**Letter of Resignation to the  
Members of the American Society of Dowsters  
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 Dowsters.

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 longer 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 those 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 Dowsters 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

TCT Amy Loomis [redacted] 2/29/16

social worker - retired  
Worked for foundation + gave out grants.

Lives in Idaho

Life member of ASD - member c. 20 yrs.  
Membership depleted over yrs -  
now c. 400 life members +  
1000 memb

11  
76

Sandi Mae - asked her to help write grant proposals. OK - c. 4 yrs ago

↳ late - no grant proposal - because

Water for Humanity fund - then c. 25  
to go - Mga - ~~not~~ general fellow  
to dig wells for clean water -  
very basic work in under developed  
areas. He was fence corp vet.

John  
Herbert  
Mga  
the Mga

Amber Foundation / Metabolic Studies -  
asked for NW -  
with write proposal - Amberburg

(3)

Board shapergoats - did w/ presidents -  
ASD wants to spin off WN.

- Incoming concerns - unknown.

- AL head of Idaho chapter.

Joseph Pelf - commit → accountant.....

~~★~~ Ejection Violation -

- ① Duty that volunteers watch own by-laws.
- ② the life memberships days.

= Not enough info to speak about financial issues.

WF - committee - oversees WN<sub>no</sub>

fund → not frozen now -  
last night -  
fund to be frozen  
Board of Trustees - met Monday



TCF Jean McDonald

5/17/16

(MB)

Message -

ASD Board member - Resigning this week.

Has information would like to share after resignation.

TCF Annette Weiss

ASD Corresponding Sec'y

6/9/16 (M)

D's re: investigation by AGO of ASD she heard about.

Outlined our jurisdiction - said no specific plan to investigate ASD at the time.

AW made no PRR req re: complaint.

TCT Dmy Loomis [REDACTED] 6/10/16

ASD plans to use water funds to pay legal fees related to the committee.

ASD not telling membership what the legal fees are.

Ex Comm of trustees runs things & ~~legal~~ don't tell trustees what many fees.

An internal audit to be blessed at annual meeting in June 2016.



AL TCT Amy Loomis

(10) 10/12/17

DB Dreama Brower

JF James Fallon



JS John Serino

AL → Terminated

DB → Former ASD member - terminated.  
Worked w/ WHF + ASD committees.  
also a CPA

JF → in NY. ASD lifetime member.  
On internal ASD audit team w/ WHF.  
No real credit.  
Filed charges - see packet.  
W/WHF done.  
Attorney but not representing anyone here.

JS → Danville chapter president  
Questioned ASD audit  
Terminated  
Owns a crystal ~~chapter~~ shop

JF → Membership terminations.

Lifetime membership based on age -  
cost →

NO Lapse of registration

NO People not directors when signing as  
directors =

NO 990s

---

WFF - legal fees.

Donors asking when money was.

Directors to WFF into ASD general funds

Donors asked for accounts - implicitly

DB. ASD said lawyer would  
get back - years ago.

From  
Books - explain.

Some info - lack of donor confidentiality.

Audit - financial issues but not looked at.

DB - they recommended outside audit -  
concern status re frequency

OPD audit since then but not relevant to  
memberships.

DB - Board members would see audit OK  
w/o seeing things

Improper meeting notes - includes <sup>committee</sup> ~~meeting~~

Board members paid for things at annual  
mtg.

9805 - DB →  
Shopper - Chairman how accounts  
they are.

ASD trust fund - Board will not give info to committee.

Bylaws - elections, etc, not followed.

ASD had put board ~~minutes~~ minutes on member area of web more than are bylaws.

Board - 4 members in session for decisions w/o involving rest of board.

---

A2 - talk to ASD accountant →

ASD has a business used quickbooks for profit, not nonprofit org.

Michelle Beck - former WHF treasurer.

No accounting of WHF - ~~not~~  
no one keeping track

WHF - ASD going away to PR,  
Berwick & Houston for sleep -  
Concerned not specifically for  
water.

BD only 1000 from in WHF.

New Audit - not available?

Nova Scotia - see  
e-mail  
address

DB — Lisa Lacosa — ASD bookkeeper  
→ told ASD.

WHF donation went to L.H. —

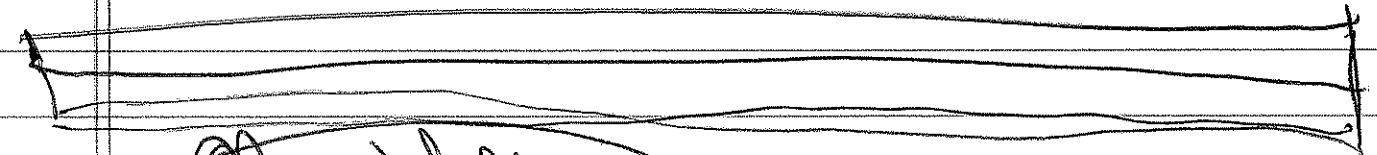
MH would be told by LH about  
— WHF funds — ✓

Was a WHF account

ASD trust fund — for ASD uses —

DB refused info about how much  
money in trust fund.

DB part of trust fund committee



~~ASD's father~~ →

ASD has refused to discuss  
a membership list.

---

Bylaw violation — refusal to  
constitute ethics committee

TCT Marty Lucas / President

6/16/17

 (IOWA)

≡ 10:30 am

Not using WFH for legal fees →

Records-

TCT Amy Loomis

6/21/18

Two Owls  
Susan Spuler

asked them to call me.

Annual membership mtg 6/14/18

— Goudreau quit as president b/c  
board wanted him to do  
unrelated things.  
Still aboard member

Will write up + send.

Leann Potter — new Pres — did  
audit to get rid of  
Steve Herbert.

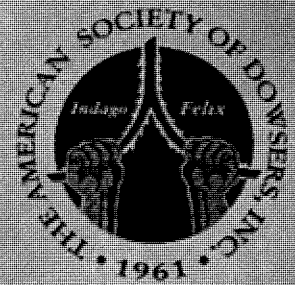
Email re: — wrong claim  
Leann no longer given in  
business.

West coast conference next week.



# The American Society of Dowsters

PO Box 24, Danville, Vermont 05828 (802)684-3417 Fax: (802)684-2565  
[www.dowers.org](http://www.dowers.org) [asd@dowers.org](mailto:asd@dowers.org)



October 9, 2018

Lorna Reichel  
[REDACTED]

Dear Lorna,

We are in receipt of a letter from Janis Fallon dated June 2017 outlining a number of charges against ASD as well as several trustees and members.

Your name was listed as being in support of the charges, however, because there were no signatures, we cannot be certain that everyone listed was in favor of submitting the charges.

Please let us know in writing by November 2, 2018, if you are (1) aware of the letter and (2) agree with the charges that have been filed. Thank you for your assistance."

Thank you,  
Lee Ann Potter

A handwritten signature in cursive script, appearing to read "Lee Ann Potter".

President

The following additional information may be helpful to you in assessing ASD'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 O'Brien, the ASD Treasurer, co-signs all checks over \$600. To my knowledge, neither Lisa LaCoss, the bookkeeper, nor Kevin O'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 verification. 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, ASD'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 don'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 losing 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 "Amy" Loomis, MSW, CCHt  
[IdahoDowers@gmail.com](mailto:IdahoDowers@gmail.com)

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 Dowzers, 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.

.....

(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 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.

#### 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 WFHF 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 WFHF 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 WFHF for those beneficial purposes as deemed appropriate by Committee.
  - b. Restricted Funds are defined as monies donated, granted or bequeathed to the WFHF for specific purposes as designated by the donor.
  - c. Management of Funds
    - (1) All monies received for the WFHF shall be placed in an interest bearing savings and/or checking account separate from any non-WFHF 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.

# orthern California Dowser

Jun 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

**Table of Contents**

- 1. Introduction.....2
- 2. Failure to Report Income to the IRS .....4
  - a. Chapters .....5
  - b. Conventions & Conferences .....6
- 3. False & Inaccurate Information Filed on the 990'stion .....6
  - a. Board Compensation.....6
  - b. Conflicts of Interest .....7
  - c. Grants and Assistance to Foreign Organizations .....8
  - d. CPA Audits Not Reported .....8
  - e. Travel.....9
  - f. Raffles, Auctions and Fundraising Not Reported.....9
  - g. Other 990 False Reporting .....9
    - ) Volunteers.....9
    - ) Governing Body and Management.....10
    - ) Policies .....11
    - ) Disclosure Requirements .....11
  - h. Discrepancies Between the 990 & Financial Information at Annual Meetings.....11
- 4. Improper Handling & Reporting of Charitable Donations .....12
  - a. Restricted Funds .....12
  - b. Accounting of Donations and Expenditures of Foundation Grant.....13
  - c. Use for ASD Expenses .....14
  - d. Disaster Relief.....14
  - e. Dissolution of WFHF.....14
- 5. Improper Handling & Reporting of a Trust Fund.....15
- 6. Whistleblowing Retaliation .....15
- 7. Summary .....17

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](http://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)*. WFHF 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<sup>1</sup> at their April 24, 2018 board meeting approved a plan to dissolve the WFHF and that they were selling its Exxon 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

---

<sup>1</sup> 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<sup>1</sup> 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.<sup>ii</sup> 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<sup>2</sup> 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.

---

<sup>2</sup> Marty Lucas is a retired major who sells Radionics machines. He has not divulged this to the dowsing market in his dowers.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**

**) Volunteers**

***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 even 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 were 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 Exxon 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 Dowsters 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]  
[REDACTED]

Amelia Loomis, [REDACTED]  
IdahoDowsers@gmail.com  
[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.

Form 211  
(March 2014)

Department of the Treasury - Internal Revenue Service

### Application for Award for Original Information

OMB Number 1545-0409

Date Claim received

Claim number (completed by IRS)

1. Name of taxpayer (include aliases) and any related taxpayers who committed the violation  
American Society of Dowzers

2. Last 4 digits of Taxpayer Identification Number(s) (e.g., SSN, ITIN, or EIN)  
0613

3. Taxpayer's address, including ZIP code  
184 Brainerd Street, Danville, VT 05828

4. Taxpayer's date of birth or approximate age  
501(c)(3) organization

5. Name and title and contact information of IRS employee to whom violation was first reported, if known  
Unknown - submitted via email on Form 13909 to coclass@irs.org

6. Date violation reported (in number 5), if applicable  
7/27/18

7. Did you submit this information to other Federal or State Agencies  
 Yes  No

8. If yes in number 7, list the Agency Name and date submitted  
Vermont Attorney General - this compliant 7/27/18, other information initially 8/16/17 and additional requested information in 2018

9. Is this  New submission or  Supplemental submission  
If a supplemental submission, list previously assigned claim number(s)

10. Alleged Violation of Tax Law (check all that apply)

- Income Tax  Employment Tax  Estate & Gift Tax  Tax Exempt Bonds
- Employee Plans  Governmental Entities  Exempt Organizations  Excise
- Other (Identify) Please see attached complaint

11. Describe the Alleged Violation. State all pertinent facts to the alleged violation. (Attach a detailed explanation and include all supporting information in your possession and describe the availability and location of any additional supporting information not in your possession.) Explain why you believe the act described constitutes a violation of the tax laws  
Please see attached complaint and supporting documentation.

12. Describe how you learned about and/or obtained the information that supports this claim. (Attach sheet if needed)  
Please see attached complaint. Amy Loomis was an ASD lifetime member actively involved in ASD's Water for Humanity Fund, grant writing and other ASD volunteer work. Janis Fallon is an ASD lifetime member involved in a 2016 ASD internal audit and filed charges against trustees in 2016.

13. What date did you acquire this information Approx. 2014-2018

14. What is your relationship (current and former) to the alleged noncompliant taxpayer(s)? Check all that apply. (Attach sheet if needed)

- Current Employee  Former Employee  Attorney  CPA
- Relative/Family Member  Other (describe) Current and terminated life time members and volunteers.

15. Do you still maintain a relationship with the taxpayer  Yes  No

16. If yes to number 15, describe your relationship with the taxpayer  
Ms. Fallon is a current lifetime member.

17. Are you involved with any governmental or legal proceeding involving the taxpayer  Yes  No

18. If yes to number 17, Explain in detail. (Attach sheet if needed)  
Vermont AG has an open investigation but there are no current legal proceedings we are aware of.

19. Describe the amount of tax owed by the taxpayer(s). Provide a summary of the information you have that supports your claim as to the amount owed (i.e. books, ledgers, records, receipts, tax returns, etc). (Attach sheet if needed)  
Unknown - ASD refused to provide financial information. 990s and internal financial documentation given to members is attached in the complaint.

20. Fill in Tax Year (TY) and Dollar Amount (\$), if known

TY \_\_\_\_\_ \$ \_\_\_\_\_ TY \_\_\_\_\_ \$ \_\_\_\_\_ TY \_\_\_\_\_ \$ \_\_\_\_\_ TY \_\_\_\_\_ \$ \_\_\_\_\_

21. Name of individual claimant  
Janis Fallon & Amelia Loomis (see her info, below)

22. Claimant's date of birth (MMDDYYYY)  
11/09/58

23. Last 4 digits of Claimant's SSN or ITIN  
2405

24. Address of claimant, including ZIP code  
336 Bulson Road  
Troy, NY 12180

25. Telephone number (including area code)  
518-935-7889

26. Email address janisfallon@gmail.com

27. Declaration under Penalty of Perjury I declare that I have examined this application, all accompanying statement and supporting documentation, and, to the best of my knowledge and belief, they are true, correct, and complete

*Janis Fallon - Amelia Loomis*  
Signature of Claimant

7/27/18

Date

copy

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 Danville	State VT	ZIP code 05828	Date of referral 7/26/18
------------------	-------------	-------------------	-----------------------------

2. Organization's Employer Identification Number (EIN)  
03-6010613

3. Nature of violation
- 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
  - Organization refused to disclose or provide a copy of Form 990
  - Organization failed to report employment, income or excise tax liability properly
  - Organization failed to file required federal tax returns and forms
  - Organization engaged in deceptive or improper fundraising practices
  - 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) Since at least 2012	Dollar amount(s) (if known)
--------------------------------	-----------------------------

Description of activities  
Please see attached complaint document regarding non reporting of income, false information on 990s, failure to provide information, improper handling of charity 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 Troy	State NY	ZIP code 12180	Telephone number 518-935-7889
--------------	-------------	-------------------	----------------------------------

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 [eo.class@irs.gov](mailto:eo.class@irs.gov). Disclaimer Notice: Your email submission of Form 13909 and attachments are not encrypted for security.

