

**Cordry Sweetwater Conservancy District  
Board of Directors Meeting  
“Minutes”**

September 21, 2010, 7:00 PM, CSLOA Clubhouse

**Board Members Present:** Jerry Fenwick, Norman Noe, Larry Kolar, David Moebs, Quinn Hetherington, Cheryl Boyle

**Board Members Absent:** None

**CSCD Attorney:** Roger Young

**Managers Present:** Marty Anderson, Vernon McGaha

**Managers Absent:** John Collins (ill)

**Guests:** (Mr. Moebs and Mrs. Anderson both forgot to put out an audience sign-in sheet so the following is from memory) Tom Lowe, Fritz Gantner, Shawn Michel, Tom Smith, Margaret Bruce, Amy Jarvis, Tom Jarvis, Ralph Nicolosi, Terry West, Gene Lashly, Mary Fouch, Pat Blocker, Dave Jarrett, Ben Halley, Jim Serra, Betsy Serra, Bill Boyle, Bonnie Temperly, Bob Sheldon

**A. Welcome and Pledge of Allegiance:**

Mr. Fenwick called the meeting to order at 7:02 pm and led in the Pledge of Allegiance.

**B. Agenda Modification Motion:**

**Motion:** Mr. Moebs made a motion to modify the order of the agenda for this meeting so that the following in the order stated here would be moved ahead of all other unfinished business and new business: 1) Discussion and decision on converting Mary Johantgen from part-time to full-time employee; 2) Appointment of Area 7 board member to fill out the remainder of 2010 term; 3) Appointment of Vice-Chairman of the CSCD Board of Directors; 4) Status of and first reading of 2011 CSCD proposed budget; and add the following topic to the agenda as the fifth topic in the above list: 5) Duck Court lawsuit settlement, seconded by Mr. Noe – motion carried with 4 votes for and 1 vote against.

**C. Freeholder Concerns:**

1. Amy Jarvis stated that she would like to speak out against the hunting for deer in the CSCD this year since it is too much risk to kids playing, people walking, people riding bikes, etc. near the hunting area. She said that the CSCD is a conservancy area not a hunting area and that there are other areas in the state in which people can hunt deer other than the CSCD. She stated that when you move out to the woods you should expect wildlife. She asked what the status was of deer hunting in the CSCD. Mr. Fenwick responded that the deer hunts in the CSCD would be discussed under the Security Commission report this evening.

## **D. Minutes:**

### **1. August 17, 2010 CSCD Board Executive Session Minutes:**

**Motion:** Mrs. Boyle made a motion to approve the August 17, 2010 CSCD Board Executive Session Minutes, as written, seconded by Mr. Noe – motion carried unanimously.

2. All of the remaining minutes to be approved were tabled since Mr. Moebs has not completed these minutes at this time.

## **E. Management Reports:**

### **1. Business Manager, Marty Anderson:**

- a. **Read Treasurer Financial Report Summarization:** Mrs. Anderson read the report. Mr. Noe inquired as to how much money was currently in the building accumulated fund. Mrs. Anderson responded that this is a budget item and that nothing had ever been transferred into a special account for this fund. Mr. Hetherington asked and Mrs. Anderson agreed that the bottom line of this month's report will be affected by the Bond Bank payment that is due after the CSCD receives the November property tax payment. Mrs. Anderson stated that the new software does not allow changes after posting transactions so adjustment transactions are needed to correct errors and the adjustments show on the claims report but are not duplicate payments. Mrs. Anderson mentioned that the payroll claims (23 pages long) are separate from the other claims and a copy of the payroll claims were provided for review of the board members.

### **b. Approval of Financial Report:**

**Motion:** Mr. Moebs made a motion to approve the Treasurer Financial Report, subject to audit, seconded by Mr. Hetherington - motion carried unanimously.

### **c. Approval of Claims:**

**Motion:** Mrs. Boyle made a motion to approve the claims, subject to audit, seconded by Mr. Kolar - motion carried unanimously.

2. **Infrastructure Reports, John Collins:** Mr. Collins was not present since he was ill so there was no report.

## **F. Budget Forecast Report, Dave Moebs:**

1. Mr. Moebs presented the 2010 Budget Forecast for the months of August and September. He explained the changes made to the report since the last report. The changes are intended to match more closely with the CSCD budget categories. He will try to also setup a more detailed month by month spreadsheet to supplement the summary report currently in use.

## G. Commission Reports:

1. **Building – Mr. Fenwick:** Mr. Fenwick summarized the Building Commission meeting minutes.
  - a. Mrs. Bruce presented the statistics on compliance with the CSCD septic evaluation program. Early in 2010, 353 letters were sent to the freeholders requesting that they complete the inspection and pumping requirements of the program. So far, 146 freeholders have not complied with the program this year with eight of these on a waiting list for service by a septic company. For the first three years of the program there are 223 freeholders who have not complied with the program. A letter has been prepared by Mrs. Bruce and reviewed by the Building Commission and the attorney which has been sent to the 38 freeholders from the first group who have not complied. Mr. Fenwick mentioned that a question was asked about when the next period starts for people who have complied with the program and the answer is on the date that they had their tank pumped and inspected. Mr. Moebs asked if anyone in group one still has an exemption from the program. Mr. Fenwick responded that there are no exemptions in group one. The board discussed what should be done regarding those who have still not complied once the deadline has been passed. The consensus of the board was to have the CSCD attorney prepare a letter giving the non-compliant freeholders from the first group an additional 30 days to comply with the program and those who are not compliant after that deadline will be forced to comply with the program by court action. Mrs. Bruce will fax the names of the 38 freeholders from the first group who are still non-compliant to Mr. Young.

**Motion:** Mr. Moebs made a motion to have the CSCD attorney prepare letters to the remaining freeholders from the first group who are non-compliant with the CSCD septic evaluation program to allow another 30 days to comply with the program after which the CSCD will enforce compliance with the program by court action , seconded by Mr. Noe – motion carried unanimously.

- b. Mr. Hetherington asked when those non-compliant in second group will be issued a letter from the CSCD attorney. Mrs. Bruce responded that group two non-compliant freeholders would start processing by the attorney once group one was completed.
  - c. Mr. Herald still has a work boat stored on his CSCD property. Mr. Fenwick and Mr. Lee will discuss with Mr. Herald to get this matter resolved.
  - d. There are two vacancies on the Building Commission.
2. **Ecology – Mr. Kolar:** Mr. Kolar explained that since there was no quorum that there was no Ecology Commission meeting this month.
  - a. Mr. Kolar reported that the survey by ReMetrix of the north end of Sweetwater Lake showed that there is approximately 7500 cubic yards of silt to be removed at a preliminary estimate of \$120,000. Mr. Fenwick stated that all of it needs to be dredged at the north end of Sweetwater Lake. Mr. Noe mentioned that a permit may be required

from the US Army Corps of Engineers to do this dredging and that a check should be made to determine if the area at the north end of Sweetwater Lake would be considered a wetland. Mr. Moebs mentioned that of the \$90,000 budgeted for lake conservation and dredging \$37,000 had been spent thus far this year which leaves \$57,000 available for dredging. Mr. Fenwick asked Mr. Young if the CSCD is obligated to dredge the coves. Mr. Young responded that the CSCD is not obligated to do dredging of the coves but could do it. Mr. Young mentioned that a special benefit assessment could be requested to fund dredging. There were comments from several board members about sharing dredging costs with freeholders, should only the freeholders on the coves to be dredged share in the cost and not all freeholders, that the north end of Sweetwater Lake is not a wetland but washout from the flood and previous washout of the road, dredge all of north end of Sweetwater Lake or just where freeholders need to get boats out, what affect would dredging have on increasing property taxes for all freeholders, require correcting the erosion problems in a cove prior to dredging, and advisability of dumping dredged material in deep part of the lakes.

**Motion:** Mr. Kolar made a motion to have Mr. Collins get ballpark numbers for dredging of the north end of Sweetwater Lake and for the Ecology Commission to obtain any needed permits for such a project, seconded by Mrs. Boyle – motion carried unanimously.

b. There is one vacancy on the Ecology Commission.

**3. Security - Mr. Hetherington:** Mr. Hetherington summarized the Security Commission meeting minutes.

- a. Mr. McGaha reminded the board that last year there had been a discussion of the road weight limits since the CSCD 120 day period of limits exceeds the state maximum allowable period of 90 days. The Roads Commission needs to pick a 90 period in order for the weight limits to be enforceable.
- b. Mr. McGaha mentioned that there have been complaints of soliciting in the CSCD. Mr. Young stated that there is a county ordinance regarding soliciting and that a permit process for soliciting is another option.
- c. Mr. McGaha pointed out that a guard rail is needed on the tree side of Church Hill Road. He stated that there was a fatality in this location some time ago. A week ago Saturday there was a serious accident along this stretch of road which could have been prevented had there been a guard rail in this location – 4 people were injured with one of those critically.
- d. Mr. Hetherington reported that there will be boat patrol on the lakes on Friday afternoon and evening and Saturday and Sunday only for the weekends in October.
- e. Mr. Hetherington reported that the commission had selected Ben Halley from among two candidates for the open position on the commission. The commission recommends Ben Halley for confirmation by the board.

**Motion:** Mr. Hetherington made a motion to approve the recommendation by the Security Commission to have Ben Halley fill the open position on the Security Commission, seconded by Mrs. Boyle – motion carried unanimously.

- f. Mr. Hetherington stated that, now that the commission has full membership, the commission will need to select a chairperson.
- g. Mr. Hetherington said that the commission approved the dates for 2010 deer reduction program since the board had approved of having the 2010 deer reduction program in 2009. The dates for the hunt are recorded in the Security Commission minutes. The area for the deer reduction program will be the same as the past two years. Mr. Kolar spoke against the deer reduction program: 1) he believes that a number of freeholders are against a hunt; 2) the current plans call for hunts on 10 of 13 weekends in 2010; 3) the CSCD is a lake community not a hunting area; 4) hunters have driven ATV's on the dams; 5) a freeholder was told to earn the opportunity to hunt; 6) non-freeholders are allowed to hunt in the CSCD; 7) Mr. Kolar has asked for the rosters of the 2009 hunts but did not get them; 8) the first year of the hunt was an experiment; 9) the board does not know the climate of the freeholders – it is not favorable and a survey should be done on the water bill; 10) he is not sure the hunts are in the best interest of the CSCD. Mr. Fenwick stated that he is against the deer hunts, and has received many emails from PITA saying that the bow hunting does more harm than good. Mr. Fenwick said that the board makes rules and then breaks the rules. Mrs. Boyle mentioned that the 2010 program was approved last year after similar discussion, and feeding the deer causes problems such as dependence and health issues. Mrs. Jarvis mentioned the picture taken at Lion Drive of a wounded deer with an arrow protruding from its side because someone did not hit it where they should have hit it. A person from the audience stated that the deer eat much of the vegetation in his yard, are tearing up his yard and that he recently had 15 deer in his yard. Another person in the audience stated that a deer had charged her so she got back in her car. Another person in the audience asked if the deer could be herded from outside the hunt area into the hunt area. Mrs. Jarvis stated that she is concerned with the safety of the deer hunts and you do not have to be ballistic expert to know that bullets travel large distances. She further commented that a man in Martinsville was struck by a rifle bullet in the back and almost paralyzed. She also mentioned that the state police had investigated the incident and reported that the bullet had traveled three miles. Mr. McGaha explained that all hunting in the CSCD is done from stands where the hunters are shooting down at the deer. Someone in the audience asked Mr. McGaha how many deer have been struck by cars. Mr. McGaha stated that there have been many deer struck by vehicles (cars, fire trucks, ambulances, etc.) in the CSCD, there was a lady firing at deer in her yard with a bow and Mr. McGaha was about to shoot the deer if it charged the woman which it did not, and there have been sightings of does with three fawns. Someone in the audience requested that the deer be herded into the hunt area. Mr. Kolar said that a couple of weekends has blown up to too many hunt weekends. Mr. Noe responded to the list of issues mentioned by Mr. Kolar: 1) No non-freeholders have been allowed to hunt, as approved by the board when

the hunt rules were set, Mr. Noe and Mr. McGaha assure that only a freeholder and his immediate family are allowed to hunt in the CSCD; 2) a freeholder was told that he could not hunt because he had not attended the orientation program and he did not have a state license to hunt deer; 3) the hunts are not for fun but are recommended by state experts who surveyed the CSCD and found that the deer were starving for lack of natural vegetation and the CSCD is losing hardwood trees because the deer are eating almost every sapling that sprouts; 4) the state experts stated that the CSCD is five years behind in controlling the deer; 5) the first and second years of the hunts went well and were safe; 6) the maximum number of hunters allowed on any specific day was never reached in the past two years; 7) the hunts result in strengthening the deer herd and improving the ecology of the CSCD; 8) the volunteers who manage the hunts work hard to make the hunts safe; 9) the injured deer was probably not from the CSCD hunt; 10) two years ago before any of the hunts a public meeting was held at which about 100 people attended with only 3-4 against the hunts. Mr. Kolar asked to reduce the number of weekends scheduled for hunts.

**Motion:** Mr. Moebs made a motion to approve the dates for the 2010 deer reduction program recommended by the Security Commission (early archery: 10/2-3, 10/10, 10/16-17, 10/23; firearms: 11/13-14, 11/20-21, 11/26-28; muzzleloader and late archery: 12/4-5, 12/11-12, 12/18-19), seconded by Mrs. Boyle – motion carried with 4 votes for and 2 votes against.

**Motion:** Mr. Moebs made a motion to make an exception to the CSCD rules regarding firearms in order to allow for the use of Indiana DNR approved firearms and muzzleloaders during the deer reduction program in 2010, seconded by Mrs. Boyle – motion carried with 4 votes for and 2 votes against.

- h. Mr. Hetherington suggested that a review of the results of the deer reduction program should be done after the completion of the 2010 program. He further stated that the CSCD has no control over hunting in areas outside of the CSCD to the west and north of the CSCD. He also confirmed that the IN DNR representatives say that the CSCD has a deer problem. Mr. Hetherington also noted that there is never any comment about the removal of the geese each year.

4. **Roads – Mr. Noe:** Mr. Noe explained that there was no Roads Commission meeting this month.

5. **Water – Mrs. Boyle:** Mrs. Boyle explained that there was no Water Commission meeting this month.

**H. Brown County Solid Waste:** Mr. Moebs summarized the minutes from the Brown County Solid Waste Management Board meeting on September 20, 2010.

1. Mr. Moebs reported that there are signs up around the CSCD announcing a U.S. Drug Enforcement Agency (DEA) sponsored Drug Take Back program to collect free and with no questions asked any prescription drugs or controlled substances. The purpose is to get these substances that are not being used out of homes so they cannot be used, sold, etc. by anyone especially children. There will be a sheriff's

deputies supervising the collection at the Brown County Solid Waste Building from 8:00 am to 2:00 pm. The deputies will then take what was collected to Indianapolis to turn the substances over to the DEA for disposal.

2. DesignScape located in Belmont west of Nashville on Indiana 46 will be collecting leaves free of charge.
3. Knight's Sawmill (location not known) will take brush and small limbs free of charge.
4. The Brown County Solid Waste director has arranged sponsors again for a Document Shred day on November 6 at the Brown County Solid Waste Building. Drop off documents to be shredded from 9:00 am to 12:00 pm.
5. The Brown County Solid Waste Building will be closed on Christmas Eve, Friday, December 24 and on Christmas Day, Saturday, December 25.

#### **I. Unfinished Business:**

1. **Discussion and decision on converting Mary Johantgen from part-time to full-time employee:**

**Motion:** Mr. Moebs made a motion to convert Mary Johantgen from part-time to full-time employee of the CSCD and waive the 12% contribution to Mary Johantgen's health insurance coverage with Board approved employee contributions to health insurance coverage commencing in 2011, seconded by Mrs. Boyle – motion carried with 4 votes for and 1 vote against.

- a. Mr. Moebs said that he felt that Mrs. Johantgen is a valuable addition to the office staff and that she is performing her duties well and appears to be able to take on additional tasks. He said that his motion waives the 12% employee for health insurance coverage since this decision has been before the board long before that requirement was passed by the board.
- b. Mr. Kolar asked if doing board minutes could be added to Mrs. Johantgen's job description.

2. **Status of and first reading of 2011 CSCD proposed budget:**

- a. Mr. Moebs performed the first reading of the 2011 CSCD proposed budget. Mr. Moebs read the amounts for the main headings for expense and revenue with appropriate totals. Mr. Moebs reported that this budget was presented to the Brown County Council early in August for a non-binding review and approval. Since the DLGF and the Brown County Auditor has agreed that since Judge Stewart had ruled in favor of the CSCD in the Klosinski lawsuit that the DLGF was working on an agreement to lift the restrictions that it had placed on the CSCD budget and tax levy and had decided to change the county council process from a binding approval to the non-binding review and approval. The county council had tentatively approved this budget at its August meeting pending the outcome of the agreement between the DLGF and CSDD.

- b. Mr. Smith asked under which of the main headings the budget for legal services was located. Mr. Moebis responded that legal fees were under “Other Services.”

**3. Approval of DLGF 2010 Budget and 2010 tax levy agreement:**

This topic was discussed during the status of and first reading of the 2011 CSCD proposed budget during this meeting.

**4. Status of Klosinski lawsuit appeal:**

- a. Mr. Fenwick asked Mr. Young for an update on the status of the Klosinski lawsuit appeal. Mr. Young stated that the attorneys for both sides were preparing briefs and the circuit court clerk was still preparing the transcript of the circuit court case. Mr. Young stated that it could be a year and a half before the appeals court rules on the appeal.

**5. Verizon cell phone tower installation date:**

- a. Mr. Hetherington mentioned that after the meeting of the Brown County Zoning and Planning Commission where the cell tower installation was approved that the Verizon representatives stated that the cell tower would be installed some time in 2011.
- b. Mr. Moebis mentioned that he had contacted the attorney for Verizon for the CSCD cell tower project and was waiting to hear back from the attorney on an estimated installation date of the cell tower.

**6. Status of request for legislation to allow security by conservancy districts should Judge Stewart rule that CSCD cannot provide security by the current arrangement Verizon cell phone tower installation date:**

- a. Mr. Young recommended that since Circuit Court Judge Stewart had ruled in favor of the CSCD on most issues that there was no need at this time to pursue any legislation changes to the Indiana Conservancy Act.

**7. Continued discussion on full-time employee health insurance program improvements:**

- a. Mr. Kolar and Mrs. Anderson confirmed that all CSCD full-time employees are now enrolled in the new health insurance program.
- b. Mr. Hetherington commented that since the board did not pass a motion at a previous meeting to implement a spouse “carve out” program (spouse of a CSCD employee where the spouse is employed elsewhere than the CSCD would be required to be insured by the employer health insurance provided by the employer of the spouse and not the CSCD) that several freeholders have commented to him that they had never worked anywhere where 100% free health insurance programs were provided as they are currently for the CSCD employees. He said that the board members have had a month to think about the past decision and the situation in the CSCD.

**Motion:** Mr. Hetherington made a motion to require a spouse “carve out” program where the spouse of a CSCD employee is employed at other than the CSCD and the employer of the spouse supplies health insurance coverage to the spouse, seconded by Mr. Kolar – Mr. Moebis made a motion to table Mr. Hetherington’s motion in order to get additional information about the

spouse “carve out” as it applies to the CSCD, seconded by Mr. Noe – motion carried by a vote of 3 for and 2 against.

- a. Discussion during the above series of motions: Mrs. Boyle asked how the children are covered. Mr. Kolar stated that the children can be covered under one or the other of the two health insurance programs involved. Mr. McGaha asked what if the spouse of the CSCD employee has to pay for the health insurance for the spouse? Mr. Noe asked how the spouse “carve out” is policed? Mr. Kolar stated that a waiver is signed each year. Mr. Hetherington added that if the waiver is falsified then insurance payments would have to be paid back, the insurance might be terminated and the employee could be terminated. Mrs. Anderson asked how this would work for a CSCD employee whose spouse is self-employed? Mrs. Fouch mentioned that the Clarian Hospital group has the spouse “carve out” program. Mr. McGaha stated that he believes that his spouse would have to pay the entire cost of the health insurance from her employer. Mr. Noe stated that this appears to be a complicated issue that needs more research on the facts of the impact on the CSCD employees and how such a program would work. Mrs. Boyle suggested forming a committee to review the spouse “carve out” as it would operate with the new CSCD health insurance.

#### **J. New Business:**

##### **1. Appointment of Area 7 Board Member to fill out remainder of 2010 term:**

- a. Mr. Fenwick stated that two candidates, Mr. Gantner and Mr. Lowe, have satisfactorily submitted a petition to be considered for the open position as board member from Area 7. Both Mr. Gantner and Mr. Lowe reside in Area 7. Mr. Fenwick asked if there were any further candidates and there were none. Mr. Fenwick asked Mr. Gantner and Mr. Lowe to give a statement on their qualifications for and interest in being a board member. Both Mr. Lowe and Mr. Gantner provided information on their background and interest in the CSCD to the board and audience. Mr. Fenwick announced that the vote to select one of the candidate would be by roll call vote since the Indiana Open Door statute does not allow for secret ballots.
- b. Mr. Fenwick polled the board members on selection of the Area 7 board member:
  - Mrs. Boyle – vote for Mr. Gantner
  - Mr. Noe – vote for Mr. Lowe
  - Mr. Fenwick – vote for Mr. Gantner
  - Mr. Hetherington – vote for Mr. Lowe
  - Mr. Kolar – vote for Mr. Gantner
  - Mr. Moebs – vote for Mr. Lowe
- c. Since the voting resulted in a tie, Mr. Young advised that he would research the issue and advise the board but he felt that the decision would have to be referred to the Circuit Court Judge.

## 2. Appointment of Vice-Chairman of the CSCD Board of Directors:

**Motion:** Mr. Fenwick made a motion to appoint Mr. Kolar as the Vice-Chairman of the CSCD Board of Directors, seconded by Mrs. Boyle motion carried unanimously.

## 3. Duck Court Lawsuit Settlement:

- Mrs. Boyle e.l. 11/3/2010*
- a. Mr. Young requested that the board pass a motion indicating that the CSCD and the CSCD board had no interest in disputing the claims of the lawsuit from certain Duck Court residents. Mr. Young also stated that his understanding of the settlement would be that one of the freeholders would relocate the water meter pit for his property, at the expense of the freeholder.

**Motion:** Mrs. Boyle made a motion that the CSCD Board of Directors has no interest in disputing the claims of the lawsuit from certain Duck Court residents contingent upon relocation of a meter pit, seconded by Mr. Moebs - motion carried unanimously.

## K. Specific Lake or Dam Issues/Board Member Concerns:

1. Mr. Kolar reported that he has heard gun fire within the CSCD. Mr. McGaha stated that the deputies have been trying to catch this person(s). One instance on Sweetwater Drive was tracked to Sweetwater Trail without locating the source. Mr. McGaha suggested calling the sheriff as soon as this is noticed.
2. Mrs. Temperly stated that people she talks with do not know what is going on within the CSCD with respect to lawsuits, etc. She said that the minutes are needed and better communication between the freeholders both part-time and full-time is needed. Mr. Fenwick responded that the board members have been tied up with the lawsuit and its impact on the CSCD and other matters. He also stated that he is exploring an additional resource to help with the minutes. However, freeholders should provide their email addresses to the CSCD office but few have done so. Mr. Kolar suggested that freeholders exchange email addresses with their area representative on the board.
3. Mr. Hetherington mentioned that elections for two board members would be held on the second Saturday of January, 2011. He encouraged every freeholder who will not be present for the election of board members to request an absentee ballot from the CSCD office. He stated that he did not feel it necessary that absentee ballots be mailed to all freeholders. Mrs. Boyle added that resumes of the candidates would be included in the CSCD newsletter. Mr. Kolar suggested a notice on the water bill about calling the CSCD office to request an absentee ballot. Mr. Young reminded the board and the audience that with approval of the board at the end of 2009 that he had obtained a court order changing the annual meeting and election of board members from the first Saturday of January to the second Saturday of January.

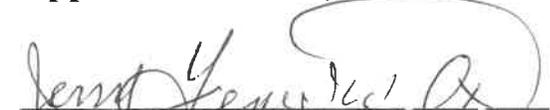
**L. Wrap-up:** None

**M. Adjournment:**

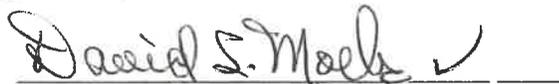
**Motion:** Mr. Noe made a motion to adjourn at 9:19 pm, seconded by Mrs. Boyle – motion carried unanimously.

Minutes respectfully submitted by Dave Moebis

**Approved** this 3rd day of November, 2010, at Nineveh, IN.

  
Jerry Fenwick, Chairman      Aye    Nay

    
Larry Kolar, Vice Chairman      Aye    Nay

 ✓  
David Moebis, Secretary      Aye    Nay

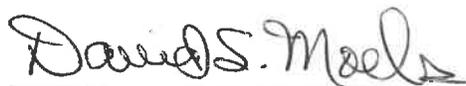
None \_\_\_\_\_  
Open \_\_\_\_\_      Aye    Nay

 ✓  
Quinn Hetherington      Aye    Nay

 P  
Cheryl Boyle      Aye    Nay

 ✓  
Norman Noe      Aye    Nay

Attest:

  
David Moebis, Secretary