

RESOLUTION 8-99

A Resolution of the Board of Directors of the Lake Shastina Community Services District identifying a schedule for billing and collection for improved single family parcels for furnishing fire, police and or sewer services, when applicable, on a quarterly basis.

WHEREAS, the District has undertaken to furnish sewage disposal services pursuant to Ordinance 1-80, 2-80, and 4-80, and as authorized by Government Code Section 61600, and its formation petitions, and

WHEREAS, the District has undertaken to furnish fire protection services pursuant to Ordinance 5-80, and as authorized by Government Code Section 61600 (d), and its formation petitions, and

WHEREAS, the District has undertaken to furnish police protection services pursuant to Ordinance 6-80, and as authorized by Government Code Section 61600 (d), and its formation petition, and

WHEREAS, it is the desire of the Board to bill all improved single family parcels on a quarterly basis.

WHEREAS, such billing schedule shall facilitate those that the District serves by providing an equal payment schedule.

NOW THEREFORE, be it resolved by the Board that the <u>Improved Single Family Lot</u> shall be billed quarterly on/or as close as possible to the following billing and collection schedule for police, fire and sewer, when applicable.

Billing Date	Due Date	Delinquent Date
July 1 st	July 31 st	September 1 st
October 1 st	October 31 st	December 1 st
January 1 st	January 31 st	March 1 st
April 1 st	April 30 th	June 1 st

BILLING AND COLLECTION: PENALTIES AND INTEREST BE AMENDED TO READ: PAYMENT IN FULL FOR SERVICES BILLED SHALL BE RECEIVED BY THE DISTRICT OFFICE WITHIN SIXTY (60) DAYS OF THE BILLING DATE OR BE SUBJECT TO A BASIC PENALTY OF 10% FOR NONPAYMENT OF THE CHARGES WITHIN THE TIME AND IN THE MANNER PRESCRIBED AND AN ADDITIONAL PENALTY OF ½ OF 1% PER MONTH ON THE CHARGES AND BASIC PENALTY MAY BE ADDED AS PRESCRIBED BY CALIFORNIA GOVERNMENT CODE 61621. IF FULL CHARGES AND PENALTIES ARE NOT PAID WITHIN SIXTY DAYS AFTER WRITTEN NOTIFICATION, THE DISTRICT MAY DISCONTINUE SEWER SERVICE. THE AMOUNT TO BE CHARGED FOR RENEWAL OF SERVICE SHALL BE THE DISTRICT MANAGER'S ESTIMATED COST OF RECONNECTION TO THE SYSTEM IN ADDITION TO ALL OTHER CHARGES FOR OR ESTABLISHED PURSUANT TO RULES, REGULATIONS AND ORDINANCES OF THE DISTRICT.

- 1.) THIS RESOLUTION SHALL BECOME EFFECTIVE BEGINNING JULY 1, 1999, AND SHALL CONTINUE UNTIL SUPERCEDED BY FUTURE ORDINANCES OR RESOLUTIONS.
- 2.) THE DOLLAR VALUE MAY CHANGE FROM TIME TO TIME BY PASSING OF A FUTURE ORDINANCE OR RESOLUTION. PRESENT DOLLAR VALUES ARE FROM PRIOR ORDINANCES AND RESOLUTIONS.

FIRE SPECIAL TAX ON PROPERTY PER YEAR IS \$40.00 / 4 = \$10.00 PER QUARTER POLICE SPECIAL TAX ON IMPROVED PROPERTY PER YEAR IS \$65.00 / 4 = \$12.50 PER QUARTER SEWER FEE ON IMPROVED PROPERTY PER YEAR IS \$150.00 / 4 = \$37.50 PER QUARTER

IMPROVED NONSEWERED PARCEL BILLINGS SHALL AMOUNT TO \$26.75 PER QUARTER IMPROVED SEWERED PARCEL BILLINGS SHALL AMOUNT TO \$63.75 PER QUARTER

- 3.) FIRE AND POLICE TAXES ARE COLLECTED IN ADVANCE WHILE SEWER FEES ARE COLLECTED AFTER-THE-FACT.
- 4.) FOR THE PURPOSE OF THIS RESOLUTION, THE FOLLOWING DEFINITIONS SHALL APPLY:
 - A.) "QUARTERLY" MEANS INCREMENTS WITHIN A FISCAL YEAR.
 - B.) **"FISCAL YEAR"** MEANS PERIOD OF TIME BEGINNING JULY 1 OF EACH YEAR AND ENDING JUNE 30.
 - C.) **"IMPROVED**" PARCEL MEANS ANY PARCEL OF REAL PROPERTY WITH CONSTRUCTION OF A VALUE OF \$1,000 OR MORE; **"UNIMPROVED**" PARCELS ARE ALL OTHER PARCELS.
 - D.) **"PARCEL"** MEANS A PARCEL OF REAL PROPERTY HAVING A SEPARATE ASSESSOR'S PARCEL NUMBER, AS SHOWN ON THE SECURED TAX ROLLS OF THE COUNTY OF SISKIYOU.
 - E.) THE BOARD RECOGNIZES THAT CERTAIN NUMBERED RESIDENTIAL LOTS WITHIN THE LAKE SHASTINA SUBDIVISION MAY HAVE TWO ASSESSOR'S PARCEL NUMBERS AS SHOWN ON THE SECURED TAX ROLLS OF THE COUNTY OF SISKIYOU DUE TO THE FACT THAT SAID RESIDENTIAL LOT IS DIVIDED BY SISKIYOU COUNTY TAX AREA BOUNDARY LINES. IN THESE CASES, THE LOT IS IDENTIFIED BY ONLY ONE ASSESSOR'S PARCEL NUMBER ON DISTRICT RECORDS, THEREFORE, SUBJECT TO A SINGLE TAX AS DEFINED HEREIN

Resolution 8-99

I hereby certify that the foregoing is a full, true and correct copy of a resolution duly passed and adopted by the Board of Directors of the Lake Shastina Community Services District, Siskiyou County, California, at a meeting thereof duly held on the 30th day of June, 1999, by the following vote:

AYES, and in favor thereof, Directors: Dean, Everhart, Johns, Kalagorgevich

NOES, Director Brezinsky:

ABSENT, Directors: None

MYRON ÉVERHART, President

APPROVED: June 30, 1999

L. JAMÉS LEA.

District Secretary

LAKE SHASTINA COMMUNITY SERVICES DISTRICT BOARD of DIRECTORS

Regular Meeting June 30, 1999 – 2:30 p.m. Lake Shastina Fire Station

MINUTES

Item 1. CALL TO ORDER: at 2:40 p.m. by President Myron Everhart Roll Call:

Present: Dirs Brezinsky, Everhart, Dean, Johns and Kalagorgevich. **Absent:** None

A quorum was satisfied

Also present were GM Lea, Tony Lombard for Fire Chief Hall, Police Chief Spencer, Recording Secretary Dodi Dickson, and Weed Press Reporter John Diehm. There were approximately 35 people in the audience.

Item 2. CLOSED SESSION: The Board went into closed session at 2:41 and came out from closed session at 3:24. Pres. Everhart reported that the Board would continue their closed session at the end of the meeting.

Item 3. PLEDGE OF ALLEGIANCE:

Item 4. APPROVAL OF AGENDA: Dir. Brezinsky asked for items c, f, j, k of Written Communications be removed from Consent Agenda. Dir. Johns stated that Item 13 (Closed Session) will be needed.

MOTION: Approve agenda as modifiedBY: Dir. KalagorgevichSECOND: Dir. DeanVOTE: Ayes – Dirs Brezinsky, Dean, Everhart, Johns, and KalagorgevichAbsent: None

Item 5. APPROVAL OF MINUTES:

Regular Meeting 5/19/99 GM Lea noted change to minutes on page 5 under 7 change \$10,000 to \$2,000.
 MOTION: Approve minutes as corrected.
 BY: Dir. Kalagorgevich
 SECOND: Dir. Johns
 VOTE: Ayes – Dirs. Brezinsky, Dean, Everhart, Johns, and Kalagorgevich
 Noes – None
 Absent: None

Item 6. PUBLIC COMMENT:

Lyla Gregg requested the Board to reserve time for her to speak on Item 10 D.

Item 7. BOARD MEMBER COMMENTS: There were no Board member comments at this time.

Item 8. WRITTEN COMMUNICATION

- *A. Letter dated 5/13/99 from CS Adm. to Police Chief; Re: Weight Limitations. Received and Filed
- *B. Letter dated 5/10/99 from SVGV Developer to Siskiyou County Planning Dept.; Re: Shasta View Golf Village Received and Filed
 - C. Letter dated 5/19/99 from SDWAC Adm. to CSD GM; Re: 1999 to 2000 Experience Modification Factor (EMF) Decrease from 1.41% to 1.18%. Received and Filed GM Lea explained the EMF decrease was concerning Worker's Compensation Insurance rate CSD had to pay. The percentage has decreased from last year because of the decrease in the number of claims by the CSD employees.
- *D. Memo dated 5/19/99 from CS Watermaster/Supt. of Pub. Works to CSD GM; Re: Moving from Yard. Received and Filed

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- *E. Fax dated 5/20/99 from CSD GM to CS Adm., Re: Memo per CSD Hours; Attached Letter from Police Clerk Received and Filed
- F. Letter dated 5/20/99 from CSD GM to Watermaster/Supt. of Pub. Works; Re: Returning of Wildland Fire Fighting Gear Received and Filed Dir. Brezinsky asked if the wildland gear had been returned to the fire department. GM Lea reported that it had been returned.
- *G. Memo dated 5/26/99 from CS Staff to CSD GM.; Re: Response to Editor LS View Letter dated 5/11/99 Received and Filed
- ***H.** Letter dated 5/28/99 from CSD GM to Victoria Howdesha; Town Hall Meeting Presentation (Lifeline) Received and Filed
- * I. Letter dated 5/28/99 from CSD GM to Karen Cross; Re: Town Hall Meeting Presentation (Vial of Life) Received and Filed
 - J. Memo dated 5/28/99 from CSD GM to CS Adm. Re: Rental Not Being Paid on Dump Truck Received and Filed Dir. Brezinsky inquired if the matter of LSPOA paying for their use of the dump truck had been resolved. GM Lea stated that as of this date it had not been resolved.
 - **K.** Memo dated 6/10/99 from CSD GM to CS Staff; Re: CS Staff's Opinion Received and Filed GM Lea reported that CSD has received a few more of their files from Civic Services but that there were still files, disc's, and other items that have not been received. GM Lea stated that CSD would continue to request the return of their items.
- *L. Letter dated 6/18/99 from CSD GM to CS Accountant; Re: Response to fax of 5/21/99 Received and Filed
- *M. Fax dated 5/21/99 from CS Accountant to CSD Accountant Received and Filed
- *N. Letter dated 6/21/99 from CSD GM to Siskiyou County Clerks Office;; Re: "Latent Powers" Received and Filed
- *O. Letter dated 6/17/99 from CSD GM to Property Owner; Re: "Latent Powers" Received and Filed
- *P. Letters dated 6/14/99, 6/15/99 and 6/18/99 to, from and to Property Owner; Re: Delinquent Accounts Received and Filed

Item 9. UNFINISHED BUSINESS:

A. REPORTS

1. General Managers Report: L. James Lea

a. Final report from Nonstanding Insurance Committee. GM Lea reported that the committee had decided to continue the insurance coverage with SDRMA. A saving of approximately \$2,000 from prior years was seen. An additional benefit for this year is that there was no longer the \$20,000 retention of liability required for the Police Department.

MOTION: Authorize payment to SDRMA for insurance coverage, pay by July 15, 1999.

BY: Dir. Kalagorgevich

SECOND: Dir. Johns

VOTE: Ayes – Dirs. Brezinsky Dean, Everhart, Johns, and Kalagorgevich Noes – None Absent: None

- **b.** Filing of Liens; GM Lea reported that 23 liens were filed on 60 pieces of property for a total of approximately \$5,000. CSD does not have any files that show the procedure to release the liens and will proceed to follow through with the necessary steps.
- 2. Treasurer's Report: Dir. Kalagorgevich reported that all bills for May have been paid. The income was approximately \$10,000 for the month with approximately \$45,000 of expenses. The Scott Valley Bank account has a balance of approximately \$68,000 and the \$250,000 in the LAIF account

has still not been touched. Dir. Kalagorgevich further reported that CSD was only spending what was absolutely necessary and still down to the "bare bones".

- 3. Audit: Fiscal Year 1998-1999: Dir. Kalagorgevich reported that defibrillator was donated to the Fire Department by the several different groups. The Auditor advised that a note should be put in the audit report so that other Boards in the future will know that the defibrillator was, in fact, donated and was not purchased by the Fire Department without board approval
- 4. Fire Department Report: Received and Filed. Tony Lombard reported for Chief Eric Hall who is still recuperating from open-heart surgery. Tony read a thank you letter from Victoria Sofullet thanking the FD for the quick response and expert medical attention when called to the residence of Barbara Coleman. Tony further reported on a fire that was started by a cement saw at Fawnskin on Saturday, June 28, 1999. The FD quickly extinguished the fire. On Saturday, June 21, 1999, Mercy Air Ambulance held a training at the golf course. Because of the large number of residents interested in joining a group coverage rate of \$20 a year instead of \$40 a year is available. Anyone interested can contact the FD for more information.
- 5. Police Department Report: Received and Filed. Police Chief Spencer reported that the PD had a chance to purchase a 1994 Ford Crown Victoria police car. The car has approximately 80,000 miles could be purchased for \$4,500. Volunteer Fire fighter Mike Marasco checked the car over for mechanical stability and estimated the car could be put in excellent condition for approximately \$500 -- \$800. Police Chief Spencer asked the Board their thoughts as to the purchase of the vehicle. Dir. Kalagorgevich requested the item is postponed for 30 days and is put on the agenda for the next meeting. All board members were in agreement with Dir. Kalagorgevich.
- 6. Sewer Department: Received and Filed General Manager Lea reported that the sewer stations were all online, there is one pump to pull and some repairs will be needed to be made, and the stations were currently being painted.
- 7. Letter from Jim Gregg, Property Owner/Editor of LS: News Received and Filed
 - a. Letter dated 5/11/99 from Editor Lake Shastina News to LSCSD Directors; Re: Hiring Details, Restraining Order, Financial Data, and Personnel Matters. Received and Filed GM Lea reported that Jim Gregg had requested this item to be put on the agenda and asked Mr. Gregg if he wished to speak on the matter.

Mr. Gregg stated that he had requested specific reports and documents from CSD that he felt were public information. To be more specific, Mr. Gregg requested information about the Restraining Order filed against Dir. Brezinsky, information on a police matter involving one of the Lake Shastina Police Officers, and a copy of an advertisement for the hiring of CSD employees. Mr. Gregg stated he also felt he had not been responded to properly by GM Lea and that CSD's response was far from straightforward. Mr. Gregg feels the documents requested were public information and also feels CSD is "pussy footing" around by not responding in a straightforward manner. Mr. Gregg further stated that CSD's reply stating that the employee's were already working for CSD or "promoted from within" was, in his opinion, a very serious question.

8. Property Negotiations: (office and maintenance equipment)

a. Convault Portable Fuel Installation; Received and Filed

GM Lea reported CSD had received a response from three members of the MWC Board to the May 20, 1999, letter in regard to the fuel convault located in the MWC maintenance yard. The letter stated that the MWC was amenable to the conditions CSD had requested for relocation of the fuel convault to CSD property. Discussion followed

MOTION: GM Lea to draft a letter stating that CSD accepts sole ownership of the fuel convault. The letter is to be approved by Attorney Winston. The MWC and LSPOA are to sign for final approval prior to the movement of the convault.

BY: Dir. Brezinsky SECOND: Dir. Johns VOTE: Ayes – Dirs. Brezinsky Dean, Everhart, Johns, and Kalagorgevich Noes – None Absent: None

 Negotiations: Letters dated 5/17/99 Atty.: Pierce to Atty.: Kimbell; Letter dated 5-24-99 GM Lea CS Adm.; Letters dated 5/25/99 CS to CSD and CSD legal council. Received and Filed

MOTION: GM Lea to write a demand letter to the MWC requesting to know the amount due on the note for the trailer.

BY: Dir. Johns SECOND: Dir. Dean VOTE: Ayes – Dirs. Brezinsky Dean, Everhart, Johns, and Kalagorgevich Noes – None Absent: None

c. Removal of CSD Pipe, Supplies and Other Items from Maintenance Yard. Correspondence of various dates received and filed. GM Lea reported that the majority of the items have been removed from the maintenance yard. Police Chief Spencer reported that the dog kennels are still in the yard.

Item 10. NEW BUSINESS:

- A. Agreement between "District" and "County" Trade Off of Services Policing of Public Campground for 24-hour Dispatch Services. Police Chief Spencer reported there were a few clarifications requested before signing a new 5-year contract with the County. After discussion it was decided that this agreement would become an agenda item for the July 21, 1999, meeting.
- **B.** Hiring Part-time Office Clerk. GM Lea reported CSD needed to hire a part-time temporary office clerk position. The position would require general typing, answering phones and miscellaneous office duties. Pay minimum wage, no fringe benefits pay not to exceed \$2,600

MOTION: GM Lea to write an advertisement to be put in the newspaper describing job duties, wages and hours.

BY: Dir. Kalagorgevich SECOND: Dir. Johns VOTE: Ayes – Dirs. Brezinsky Dean, Everhart, Johns, and Kalagorgevich Noes – None Absent: None

C. CSD Lease Agreement on Copy Machine Located in the Admin. Office over to MWC. GM Lea recommended CSD sign existing lease over to MWC.

MOTION: CSD sign copy machine lease over to the MWC

BY: Dir. Johns SECOND: Dir. Brezinsky VOTE: Ayes – Dirs. Brezinsky Dean, Everhart, Johns, and Kalagorgevich Noes – None Absent: None **MOTION:** CSD turn in existing copy machine located at Fire/Police Station and enter into a new agreement with ComTech Office Equipment for (2) two copy machines

BY: Dir. Kalagorgevich SECOND: Dir. Johns VOTE: Ayes – Dirs. Dean, Everhart, Johns, and Kalagorgevich Absent: None

Noes-Dir. Brezinsky

D. PUBLIC HEARING, Approval of FY-00 Preliminary Budget. Received and Filed Dir. Kalagorgevich reported that the County recommended CSD adopt a preliminary budget. Dir. Kalagorgevich met with each of the CSD department heads and was able to draft a rough preliminary budget. Dir. Kalagorgevich, Valarie Gibson, Lynn Teuesher and GM Lea met and discussed year-end reporting. Future budget meetings will be posted.

MOTION: Approve Preliminary Budget and continue to work on budget to be presented prior to 9-30-99.

BY: Dir. Kalagorgevich SECOND: Dir. Johns VOTE: Ayes – Dirs. Brezinsky Dean, Everhart, Johns, and Kalagorgevich Noes – Absent: None

E. Resolution 8-99 Improved Single Family Lot Billing and Collection Schedule. Received and Filed Resolution 8-99 identifies a schedule for billing and collection of improved single family parcels for furnishing fire, police or sewer services, when applicable, on a quarterly basis.

MOTION: Adopt Resolution 8-99 to become affective 7-1-99 BY: Dir. Kalagorgevich SECOND: Dir. Dean VOTE: Ayes – Dirs. Dean, Everhart, Johns, and Kalagorgevich Absent: None

Noes – Dir. Brezinsky

F. Request for ISO to Rerate District Received and Filed

MOTION: GM Lea to write request letter to have Lake Shastina Community Services District bererated for ISO rateingBY: Dir. KalagorgevichSECOND: Dir. JohnsVOTE: Ayes – Dirs. Dean, Everhart, Johns, and KalagorgevichAbsent: None

G. Sewer Extension Request LSPOA Park Parcel A Unit 8-2 Received and Filed GM Lea recommended to the Board that they grant the sewer extension. Debbie Pimentel has been working with various contractors asking for volunteers to help build the restrooms. Debbie has talked with GM Lea about the sewer extension required. GM Lea reported that LSPOA was willing to pay the \$3,220 hookup fee. Discussion was held as to the exact cost necessary to complete the extension.

MOTION: Table Sewer Extension Request until July Meeting. BY: Dir. Johns SECOND: Dir. Kalagorgevich VOTE: Ayes – Dirs. Brezinsky, Dean, Everhart, Johns, and Kalagorgevich Noes – None. Absent: None

- H. County Workshop; Re: Operation of Special District. President Everhart reported that the County has been very cooperative with CSD by allowing CSD to go through old records and documents from when Lake Shastina Special District was first formed.
- I. Resolution 9-99 Adopting Policy and Procedures for Purchasing of Supplies and Equipment. Received and Filed

MOTION: Adopt Resolution 9-99 updating the present Purchase Policy. BY: Dir. Kalagorgevich SECOND: Dir. Johns VOTE: Ayes – Dirs. Brezinsky, Dean, Everhart, Johns, and Kalagorgevich Noes – None. Absent: None

- J. CSDA's Response Per Letter of May 12; Re: Circuit Rider, Dave McMurchie, Prop. 218, Latent Powers. Received and Filed GM Lea reported correspondence had been received from David Stammerjohan of CSDA explaining that CSDA did not have a circuit rider that traveled district to district. David McMurchie will visit the district upon request and payment at a rate of \$150 per hour.
- K. Formation of District Resolution No. 286, Book B Received and Filed President Everhart reported that the County was very cooperative and allowed them to look at the original official records recorded declaring Lake Shastina a special district.
- L. **Publications** (1) New IRS Regulations Received and Filed; (2) Grant and Resource Center Summer Edition 1999 Received and Filed (3) CSDA News May/June Edition 1999 Received and Filed

Item II. PUBLIC COMMENT:

Jim Gregg stated that he was disappointed that the Board had made no comments to his request for stated documents. Mr. Gregg suggested that if he did not get an adequate response he would pursue the issue legally and make the board responsible for his legal fee.

Bob Bare stated that the Board had passes two Resolutions earlier in the meeting and had not read them publicly. Mr. Bare further stated he felt CSD should have a town hall meeting if they were going to change procedures that involved a change of billing the property owners. Bare went on to say he was pleased to hear the Board was going to advertise for office help and then proceeded to read a letter (agenda item 8 'K') he and other CS staff had written to GM Lea.

Ken Damkler stated that he felt if there was anyone that deserved to be investigated or sued it was the MWC. Mr. Damkler reported he had served for years on the MWC and that when he served on the board they didn't need an administrator to help them run the Water Company. They simply took care of what a Water Company was supposed to take care of "providing water, at cost, to the shareholders". Mr. Damkler further stated that he wanted to know how, all of a sudden, did the MWC think they owned everything, hired an administrator, etc., etc., mr. Damkler stated he was fed up with the MWC claiming power and ownership over everything and felt there needed to be an investigation of how did Bob Bare get hired by the MWC president John Britt when other entities are paying for part of Bare's salary. Mr. Damkler further stated that the whole stinking mess needed to be investigated. That ever since these big shot, higher educated, exschool teachers who think they know it all come in and took over there has been nothing but trouble.

President Everhart questioned Jim Gregg on his letter requesting CSD Board give him some answers on certain things. CSD gave Mr. Gregg answers to his questions but then Mr. Gregg went to Mr. Bare and LSPOA's attorney. Originally, Mr. Gregg said he was doing this on his own according to his letter. Now, CSD was getting letters from Bob Bare and LSPOA's attorney concerning the same items. President Everhart asked Mr. Gregg who was paying for his attorney to answer the questions, LSPOA, who is paying for it?

Mr. Gregg stated that any matter regarding the public records act he was responsible for. However, Mr. Gregg went on to state that if he brings action against this board and it is sustained then CSD will be made to pay for it. President Myron Everhart asked Mr. Gregg who his bankroll was, LSPOA? Myron went on to say that he assumed that Mr. Bare had actually written the letter inquiring about the public records act and that Mr. Gregg had just brought it over here. Mr. Gregg replied that he was the one who wrote the letter.

Item 12. Next REGULAR MEETING: July 21, 1999, 2:30 p.m. Lake Shastina Fire Station

 MOTION: Adjourn meeting to closed session

 BY: Dir. Dean

 SECOND: Dir. Kalagorgevich

 VOTE: Ayes – Dirs. Brezinsky, Dean, Everhart, Johns, and Kalagorgevich

 Noes – None

 Absent: None

 The meeting adjourned to Closed Session at 5:50 p.m.

 Item 13. CLOSED SESSION:

 A (Section 54057): Suprement also Shorting Paling Department, Chief of Paling

A. (Section 54957): Spencer, Lake Shastina Police Department, Chief of Police

B. (Section 54957.8): Case Review / Planning

The Board came out from closed session at 6:43 p.m. There was nothing to report out from closed session:

Item 14. ADJOURNMENT: The meeting was adjourned at 6:45 p.m.

Respectfully submitted,

Loci Dickson

Date Approved 7-21-99

Dodi Dickson Recording Secretary