

Requests for Research

Want to see what additional funding would actually be available that is not available to us now through the current structure with CPRCD as a non-profit fiscal agent.

- The Department of Environmental Quality has clearly stated that they will no longer provide funding to the Council with this current organizational structure. In order to receive grants from DEQ the council must become a formal non-profit. DEQ funds the bulk of the Water Quality Monitoring program.
- Some foundations have expressed that they will only provide grants to non-profit organizations that can receive the money directly. – Don't have specific examples, but will be researching this soon ---

The Council takes on liability if they form this – what is the liability the Council assumes. Want legal opinion on how protected the Council is right now. Consult attorney and prove that you did.

- In some respects the Council itself would be taking on more liability if it became a formal non-profit. It would be liable for its employees, and it would be liable for projects (as opposed to the contractor). The organization would have to purchase insurance, which, ideally would be effective risk management for both of these factors.
- In other respects, particularly where the Steering Committee is concerned, becoming a non-profit would decrease the personal liability of its directors. According to the Oregon Nonprofit Corporation Handbook, “One of the major reasons most organizations incorporate is to protect the Directors and officers who run the organization.”(270) Also, Oregon Law limits the personal liability of qualified directors to gross negligence (278). In addition to these protections, being a formal organization would allow the Council to purchase insurance.
- In addition to increased liability, the Council would also be legally responsible for keeping records of all meetings and for maintaining all appropriate paperwork.

Want thorough report on what happened before when the Council decided not to go with non-profit status.

See attached “Previous Committee Research and Recommendation.”

How would having a Board affect the decision-making process? Where would the rest of the Steering Committee and Council fit in – would they become advisory? Would Steering continue to handle all but fiscal?

Can we do a cost comparison for having a small contracting company complete our “riskier” projects, in place of individual contractors?

This questions leads to multiple other questions, including:

- Can we find someone to do “riskier” projects?
- How much would it cost?
- Does the cost of that limit our ability to keep Cindy and other services she provides?
- Who supervises that contract on behalf of the Council and how do you pay for that workload?

How are non-profits held accountable, especially financially?