

History of Pool Funds in Scappoose

Prior to 2012, there were originally three separate accounts associated with the future construction of a pool by the City.

1. **Bob Casswell Pool Fund** – this account was started in the early 1970's through spontaneous donations and fundraising efforts and was held by the Casswell family to fulfill Bob Caswell's vision of a community pool.
2. **Swim Council Pool Fund** – this account was associated with the Scappoose Community Swim Council; however, this account was also held in the Casswell family's name.¹
3. **City of Scappoose Pool Fund** – this account was originally established with City General Fund dollars in 1999, is held by the City of Scappoose, and is restricted to costs associated with acquiring property for the pool, constructing the pool, or operating a pool.

The Oregon Department of Justice (DOJ) first investigated Scappoose Community Swim Council (at the time a 501(c)(3) non-profit organization) back in 2009 for the organization's failure to file the annual financial reports required by Oregon law. The DOJ found no evidence of misappropriated funds or inappropriate use of the Swim Council's Pool Fund. However, the DOJ noted that the Swim Council had become 'dormant,' and suggested that the organization "either dissolve or take steps to commence activities in support of its mission again."²

In 2012, the DOJ again received a complaint related to pool funding, this time a complaint about the disposition of the Bob Casswell Pool Fund. The DOJ's report found "no evidence that the [Bob Casswell] Pool Fund monies have ever been used inappropriately or otherwise misappropriated."³ After receiving the complaint about the Bob Casswell Pool Fund, the DOJ determined it was appropriate to reexamine the activities of the Swim Council. Similar to the investigation into the Bob Casswell Pool Fund, the DOJ found no misappropriated funds from the Swim Council's accounts.⁴ In 2012, the directors of the Swim Council expressed a desire to dissolve the non-profit organization and transfer their assets to another organization.

In the DOJ report's 'Review and Recommendation,' they recommended that the Bob Casswell Pool Fund should be placed under either the Fund's name or with a charitable organization with proper oversight and internal controls. The DOJ suggested the City be responsible for the funds.⁵ Given the Swim Council's desire to dissolve and the need to transfer assets to another organization, the DOJ recommended that all funds held by the Swim Council and the funds from the Bob Casswell Pool Fund be distributed to the City of Scappoose to be held as part of the restricted Pool Fund.

Following the DOJ's report, the Swim Council chose to dissolve and transfer funds to the City. The City received a check from the Swim Council in the amount of \$14,382.33 and a check from the Bob Casswell Pool Fund in the amount of \$33,948.30. The City chose to keep the funds received in a restricted account that accrues a small amount of interest each year, separate from the City's Pool Fund.

¹ *Scappoose Community Swim Council & Bob Casswell Pool Fund (DOJ Report)*, DOJ File# 137300XCT0034-12, Department of Justice, Civil Enforcement Division, State of Oregon, September 20, 2012, p. 4.

² *DOJ Report*, p. 3.

³ *DOJ Report*, p. 4.

⁴ *DOJ Report*, p. 4.

⁵ *DOJ Report*, p. 5.