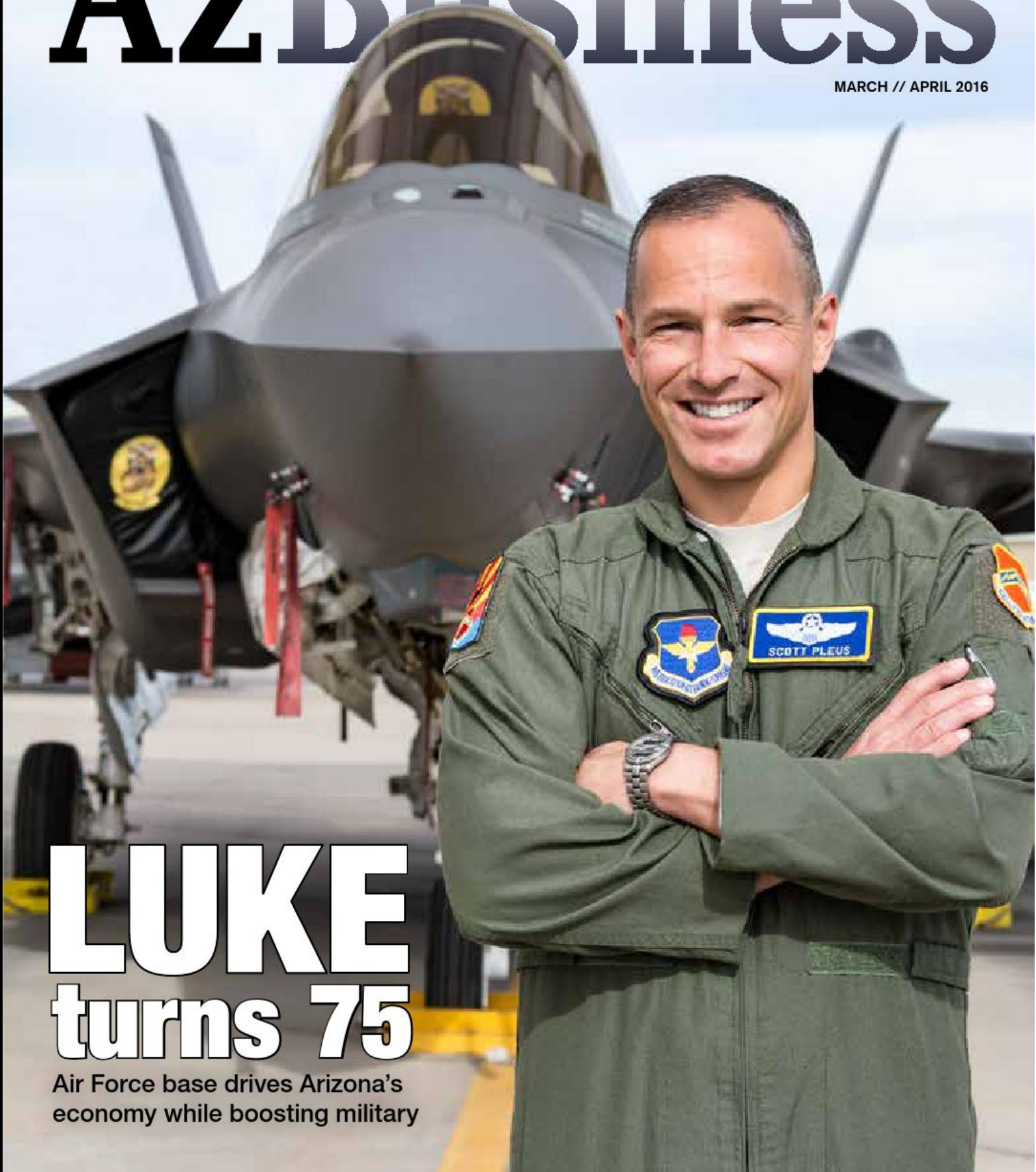


CONNECT » GUIDE » INSPIRE

AzBusiness

MARCH // APRIL 2016



LUKE turns 75

Air Force base drives Arizona's economy while boosting military

Healthcare
Leadership
Awards

24

Top 100
Lawyers
in Arizona

41

Hospitality Sales and
Marketing Association
International

65

Luke
Air Force Base
75th anniversary

81

LEADERSHIP SPOTLIGHT

Kimberly Van Amburg

CEO
Casino Del Sol Resort
casinodelsolresort.com



Background: Van Amburg oversees the strategic direction and operation of Casino Del Sol Resort, Sewailo Golf Club, AVA Amphitheater and Casino Del Sol's sister property, Casino of the Sun. She works closely with the Pascua Yaqui Tribal Council to realize its vision of a vibrant and prosperous future for its members. Van Amburg graduated from the UA College of Law and serves on the board of the Community Food Bank of Southern Arizona.

Childhood aspiration: "At a certain point, I knew I wanted to go to law school. I am so glad I followed through with this dream. It turned out to be a fantastic experience."

Surprising fact: "My husband never proposed to me."

To read more about the best and brightest business leaders in Arizona, get a copy of the 2016 edition of *Az Business Leaders* at azbigmedia.com.

The seven deadly sins of nonprofit board members

By MICHAEL GOSSIE

As business leaders rise through the ranks, the increase in prestige comes with an increasing call for them to serve their communities.

"Most business leaders want to give back in some way," says Matthew H. Mason, an associate at Gallagher & Kennedy. "They feel a sense of duty."

But what many of them don't know, Mason says, is that there are risks involved when they join nonprofit boards. The U.S. Court of Appeals, Third Circuit, recently ruled that officers and board members were personally liable for the debts of a nonprofit.

"When business leaders are brought onto a nonprofit board, they often take off their business hat and think, 'I'm here to raise money,'" Mason says. "While that is part of their job, their role is also to manage the nonprofit, just as they manage their own business. When they don't do that, that's a big danger."

To help board members navigate those dangers, Mason and Gallagher & Kennedy Shareholder Robert Erven Brown outlined what they call "The

seven deadly sins of nonprofit board members." They are:

1. Breach of fiduciary duty because of a private inurement
2. Failing to observe corporate formalities
3. Are not properly indemnified
4. Committing gross negligence
5. Violating the good business judgement rule
6. Failing to properly manage officers
7. Causing deepening insolvency

"People go into board service wanting to help, but they don't realize the liability they take on," Mason says.

Before joining a nonprofit board, Mason says to ask if there is director and officer liability coverage, look at bylaws and make sure there are proper indemnification sections and make sure the organization is following bylaws.

"The biggest thing is to make sure it's something you're passionate about," Mason says. "If you're not, you're not going to pay close attention and that becomes a pitfall for the unwary." **AB**



PHOTO BY ANITA RICHEY, AZ BIG MEDIA

MATTHEW H. MASON: "It's important to know who the management of a nonprofit is, where the buck stops and that you're comfortable enough to challenge the management and ask good questions," says the Gallagher & Kennedy associate.