

**CULTURAL COUNCIL of VOLUSIA COUNTY
REGULAR MEETING MINUTES**

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June 22, 2007

MEMBERS:

Bob Dahlen, Chair
Katherine Smith-Williams, Vice Chair
Bill Dreggors
Steven Hardock
Wendell Jarrard
Tim Ludwig
Donna Sue Sanders
Jim Ward
Sandra Wilson

MEETING PLACE:

Votran Mobility Management Center
950 Big Tree Road
South Daytona, FL

STAFF: Nancy Maddox, Mike Fincher

Guests: - Gary Libby, Neil Harrington, Barbara Perrotti, Michael Sanden, Kelly Ferguson, Wayne Atherholt, Kathy Maloney Johnson, Mary Lou Deeley, Bethann Collins, Eric Lariviere, Jennifer Coolidge, Betty Parker, Laurie Goman Ring

CALL TO ORDER/ROLL CALL - Chair Dahlen called the meeting to order at 9:00 a.m. Roll was called and a quorum was announced. Members absent were Mr. Politis and Ms. Sanders

APPROVAL OF MINUTES – From January 26, 2007 Regular Meeting. **MOTION** by Member Ludwig, 2nd by Member Wilson. *“To accept minutes as presented.”* **Motion passed unanimously.**

ART IN PUBLIC PLACES COMMITTEE REPORTS

Ocean Center Expansion – The next meeting of the Selection Committee is scheduled for August. Member Ludwig inquired as to whether the budget for art increases as the total construction cost of the project increases. Gary Libby felt that it did but Nancy Maddox didn't think that was the case. She will check into it and will advise by the next meeting. Chair Sanders advised that we were waiting until the project architects had developed more detailed design plans before getting more specific. Gary Libby advised that the committee has identified the target areas and had developed a theme of Sun, Sand, Surf and Speed. Michael Sanden spoke to request that the committee issue a nationwide call to artist in order to insure that we receive the best qualified applicants. Member Ludwig expressed his opinion that there should not be a theme employed and said that he would like to provide input at the next Selection Committee meeting. Member Hardock asked how we would advertise the Call to Artist. Ms. Maddox advised that we would use many different forms of advertising to include direct mail, e-mail, and internet postings.

Historic Courthouse – No Report. M. Fincher advised that a meeting was scheduled for last week but had to be canceled for a lack of a quorum but said that by the next CCVC meeting, there should be recommendations to present.

OLD BUSINESS

Tribute to Tippen Davidson – M. Fincher advised that the VCCA had taken some action in this regard and turned over to Eric Lariviere, President of VCCA, to report. Mr. Lariviere advised that they planned to name their annual award after Tippen. He said that the Davidson family had agreed. They would also like to place a plaque in his honor in an appropriate County facility. Mr. Libby advised that the City of Daytona Beach was considering naming the new park east of the N-J Center after Tippen. Mr. Dahlen asked if the County Manager's office or County Council offered any explanation as to why the CCVC's decision to name the Chair of the CCVC after Tippen had been rejected. Ms. Maddox was asked to see what she could find out and report back. Vice Chair Smith-Williams still wants the CCVC to do something more substantial and asked this project be added to the agenda. She volunteered to work on this, as did Member Sanders. Member Hardock offered to paint a portrait of Tippen to hang in the News-Journal Center or some other appropriate venue.

License Plate Promotion – Member Ludwig said that he had not yet been able to get a definitive response from the State of Florida on the tax exempt status of the \$20 contribution. Ms. Maddox said she would attempt to get an official position on this. Mr. Ludwig advised that he was working with a graphic artist to develop a brochure design and once he received the necessary statistical information that he had requested from the State, he would begin to put together draft content for review. Staff will assist in supplying the necessary information.

NEW BUSINESS

Changes made by County Council to Advisory Board By-laws – M. Fincher presented the changes voted on by County Council on May 4, 2007 when most of the advisory boards were reconstituted. The significant changes were: 1) Term limits were eliminated. Terms would continue to be for two years but the appointing member could re-appoint current members for an unlimited number of times. 2) They imposed a limit of service on two advisory boards at a time. 3) A new absence policy was established that states that after two absences within any calendar year, that seat would be deemed vacant and must be filled by appointment from the County Council. The County Council nominating member could choose to re-nominate the same individual that was removed and ask for their approval by majority of the Council. No distinction was made for excused vs. un-excused absences. Mr. Libby suggested that all advisory board schedules for the entire year be posted on the master County Council Calendar. Staff will make that recommendation to the Manager's office which is responsible for maintaining the calendar.

Status of Individual Artist Grant Program – Member Ludwig questioned whether the policy voted on in the May 4 County Council meeting regarding prohibiting funding of Individual Artist Grants by the CCVC was valid since the money used was license plate money appropriated to the LAA for

distribution. Ms. Maddox advised that the policy was reviewed by County Legal Staff prior to drafting the revised resolution and that they concluded that the County Council did have such authority.

Mr. Libby clarified the situation further by stating that the LAA's authority flowed from the County Council through the CCVC and, as such, their policy "trumped" the State's. This position has been supported in several situations in administrative law court reviews around the State.

Member Ludwig requested that all CCVC members contact County Council members to make sure that they understand that this grant was funded from license plate monies and not general tax revenues. He would encourage them to reconsider this position.

2007/08 Community Cultural Grant Budget & Review Criteria - Ms. Maddox reported that Staff had reviewed all the Community Cultural Grant Applications and there were two applications that she wished to have the Council discuss in terms of eligibility.

IMAGES: A Festival of the Arts as a first time applicant has still yet to supply the required 501(c)3 IRS Designation Letter in spite of the date for the review having been extended. Staff has contacted Atlantic Center personnel on several occasions and they state that they are in fact a separate 501(c)3 corporation but they just have had a difficult time obtaining a copy of the letter from the IRS. Mr. Ludwig stated that their application includes a CPA audit which defines the organization as 501(c)3 corporation and suggested that should be sufficient. Staff disagreed and felt like they should have to produce the same information as every other first time applicant. There was much discussion among the Council and by the public as to whether a further extension should be granted. The consensus was that in the future all advertised deadlines for all grant materials must be adhered to in order to have the applications considered at the review. Jennifer Coolidge suggested that we adopt the State model in the future that allows 10 days from grant deadline to make up any deficiency.

MOTION by Member Ludwig, 2nd by Member Hardock ***"To extend for a period of 14 days from today the deadline to submit all required grant documentation or be deemed ineligible for consideration for this year's grant."*** **Motion passed unanimously.**

Staff brought up a question regarding the eligibility of the *Lively Arts Center's* application due to what appears from their application to be limited original programming and asked the Council for a decision. Member Ludwig stated that he also failed to see specific original programming and also reported that he had heard that the Lively Arts Center was shifting their emphasis to be more of a venue rather than a program producer. The applicant was asked to attend to clarify their application. Kelly Ferguson, Development Director for the Lively Arts Center provided an overview of programs that they have produced in partnership with other organizations over the past year and also plans for future programs as well. Their contention is that their partnerships with other organizations allow for programs to be presented that otherwise would not happen and that a significant portion of their expense budget goes to provide support for these events. Eric Lariviere of CFCE challenged whether art festival's programming was any more eligible than programs offered by the N-J Center. M. Fincher made a recommendation that Staff meet with Lively Arts Center personnel and do a detailed budget and program review to determine whether the extent of their sponsor/presenter programs makes them

eligible under the current grant requirement. This would be done in the same 14 day interval provided to other organizations to make up any application deficiencies.

Member Hardock advised that due to the change in the Grant Review date he would not be able to attend and asked if there was any way that he could still review the applications and submit his scores in writing outside the meeting and have them counted. Staff advised that this was not possible under Florida Open Meeting laws.

MOTION by Member Jarrard, 2nd by Member Ludwig *“To direct Staff to meet with the Lively Arts Center to review budget and program plans to make an eligibility recommendation.”* **Motion passed unanimously.**

VCCA REPORT/PUBLIC PARTICIPATION

Eric Lariviere reported that the VCCA was concerned that due to potential property tax reform actions that the per capita funding for the Cultural Grant might be cut back. He wished to ask everyone to contact their County Council members to request that this funding remain at the current level. Ms. Maddox reported that as of yesterday the proposed cut backs might not be as severe as originally thought. She said she would be sure to let all the groups know as soon as possible what is finally proposed. He restated the desire on the part of the VCCA to be a part of any discussions. Mr. Libby said based on his meeting with the County Manager, he feels that there will not be any larger cut in cultural funding than there is to other programs.

ADJOURNMENT - There being no further business, Chair Dahlen adjourned the meeting at 11:20 a.m.

Respectfully submitted- Mike Fincher, Cultural Coordinator and Recording Secretary