

**OHIO ARTS COUNCIL
BOARD MEETING
JUNE 19, 2013**

The meeting was called to order by board Chair Jeff Rich at 11:25 p.m. in the Tiger Gallery at the Dayton Art Institute in Dayton. Council members in attendance were: Karen Bell, Sara Jane DeHoff, Robert Hankins, Sharon Howard, Monica Kridler and Sara Vance Waddell. Absent members were: Vice-Chair Ginger Warner, Louisa Celebrezze, , Chair Emeritus Barbara Robinson, Representative Armond Budish, Representative Peter Stautberg, Senator Gayle Manning, and Senator Eric Kearney. Also present were: Angela Sullivan, assistant attorney general; David Fraher, executive director, Arts Midwest; Donna Collins, executive director, Ohio Citizens for the Arts; Michael Roediger, executive director, Dayton Art Institute; Jane Black, associate director, Dayton Art Institute; Meredith Moss, features reporter, *Dayton Daily News*; Ken Neufeld, president, Victoria Theatre Association; Donnel Jones, executive administrator, Dayton Contemporary Dance Company; Derrick Strahorn; Kris Strahorn; Rachel Strahorn; and Lynsay Strahorn. OAC staff members in attendance were: Julie Henahan, Mary Campbell-Zopf, Karine Aswad, Dia Foley, Dan Katona, Chiquita Mullins Lee and Elizabeth Weinstein.

Board Chair Jeff Rich welcomed everyone to the summer board meeting and thanked board member Sharon Howard for serving as our host in Dayton. He then introduced Dayton Art Institute's (DAI) Executive Director Michael Roediger and thanked him for organizing a tour of the exhibition, *Andy Warhol: Athletes and the Art of Sport*. Mr. Roediger welcomed the board and gave a few remarks.

Mr. Rich reminded the members that all board meetings are open to the public and that this meeting is being audio streamed via the Web. All board meetings are audio recorded for documentation purposes and as such are part of the public record. He asked members to speak clearly and not rush the making of motions. To further promote transparency in the agency's work, the meeting agenda is posted to our website under the tab, "About OAC." After the meeting, the minutes from the full board meeting are added. Mr. Rich reminded the members to direct their questions through him to help the quality of deliberations and allow staff to more easily record the discussions.

Mr. Rich welcomed Robert Hankins to the OAC board and asked him to briefly introduce himself. Mr. Hankins shared that he has spent the last 35 years serving as the executive director for nine arts councils (city, county and state) in nine different states. He is currently the president and CEO of ArtsinStark, which is the county's arts council in Canton, OH.

APPROVAL OF MINUTES

MOTION by Sharon Howard, seconded by Sara Vance Waddell, to accept the minutes of the Ohio Arts Council Board, Finance, Policy and Planning, and Executive Committee meetings held on April 8, 2013. **Motion carried without dissent.**

CHAIRMAN'S REPORT

Mr. Rich reported that today's main order of business is to discuss and vote on grant recommendations from the winter/spring panel meetings; ratifications that have occurred since the April board meeting; and proposed changes to the agency's Administrative Code. The board will also review the agency's FY2014/2015 budget; the revised timeline for preparing the

agency's biennial budget for FY2016/2017; the Finance Committee description; and the strategic plan's detailed work plans. We will also hear reports from our Finance and Executive Committees, and Donna Collins, executive director, Ohio Citizens for the Arts. David Fraher, executive director, Arts Midwest, will also brief us on his organization's activities.

DIRECTOR'S REPORT

Executive Director Julie Henahan welcomed everyone to the OAC summer board meeting and thanked the DAI staff for hosting the board in Dayton.

Staff News

As reported to the board last week, Ms. Henahan shared that Brianna Dance will be joining the OAC staff as a grants office associate, filling a position vacated by Jim Szekacs when he became a program coordinator earlier this year. Ms. Dance comes from the Ohio Cultural Facilities Commission where she has worked as the communications and projects associate for the last three years. She has also worked at the OSU Urban Arts Space in downtown Columbus as their communications coordinator and exhibitions assistant. Ms. Dance has a bachelor of fine arts from The Ohio State University with a minor in philosophy.

Budget Process

Ms. Henahan reported that the members discussed the agency's FY2014/2015 budget process in great detail in the Executive and Finance Committee meetings, and thanked the board for their support this year as we navigated the budget through the House and Senate hearings.

National Endowment for the Arts

Once again, the OAC has been awarded the second largest award (\$894,600) among state arts agencies after California. This is a nine percent reduction from our current grant of \$980,000. The circumstances that led to the reduction are tied to the reductions at the federal level due to sequestration. In FY2013, the overall allocation of National Endowment for the Arts' (NEA) Partnership Agreement funds to state arts agencies is \$47 million. This allocation is a decrease of approximately 2.7 percent as compared to last year, again, due to sequestration reductions applied to the NEA's FY2013 Continuing Resolution allocation.

Ms. Henahan added that, in FY2013, State Partnership Funds will be allocated across all 50 states and six territories, unlike the last two years when the state arts agencies in Kansas and Northern Marianas were ineligible to apply. The funds that would have been allocated to Kansas and Northern Marianas in both FY2011 and FY2012 were redistributed to the remaining states last year, amounting to an increase of approximately \$25,000 to states and \$7,500 to territories in NEA FY2012 Partnership Agreements.

National Assembly of State Arts Agencies Update

On April 24-26, 2013, Ms. Henahan attended the spring board meeting of the National Assembly of State Arts Agencies (NASAA) in Washington, D.C., where in addition to the standard board meeting fare, the NASAA board heard presentations from NEA staff members, Deputy Chairman Patrice Walker Powell, State & Regional Director Laura Scanlan, and State & Regional Specialist Andi Mathis on the State Arts Partnership grants and the effects of sequestration on the states' FY2014 grant awards from the NEA. Ms. Henahan stated that it was at this meeting that Ms. Scanlan reported that the NEA budget portal project has been stopped.

The NEA is still going to change some data requirements that states will need to collect from their constituents but those requirements have not been determined yet.

Ms. Henahan added that, thanks to a grant from the Windgate Charitable Foundation, \$50,000 is now available to NASAA for a 1:1 match. Every donation through December 31, 2013, will be matched dollar for dollar. Eligible gifts must be made between April 1 and December 31, 2013. Donors who have already given to NASAA's 2013 Annual Fund will be invited to make a second gift to support this special opportunity. Like the Annual Fund, gifts to this campaign are unrestricted and support NASAA's overall policy, research and advocacy work, as well as the leadership training programs.

NASAA and the Wyoming Arts Council/Wyoming Department of State Parks and Cultural Resources will host the 2013 Leadership Institute, October 16-18 in Jackson, Wyoming. Held in alternate years, Leadership Institutes are specially designed for state arts agencies' key policy decision makers—executive directors, deputy directors, commissioners, chairs and council members. Ms. Henahan encouraged the board members to participate in this conference adding that board chair Jeff Rich plans to attend.

Mr. Rich stated that it is invigorating to attend a meeting with other board members from across the nation. Hearing what is working and what is not in their communities is very helpful while planning for the future vision of this agency. He encouraged the board members to attend this conference.

Holocaust Memorial Update

The Holocaust and Liberators Memorial project continues to progress. Ms. Henahan informed the members that the artist selection committee met on May 6, 2013, and selected Studio Daniel Libeskind (SDL) of New York City to create and install the memorial on the Statehouse grounds. On June 5, the Memorial Site Selection committee also met and voted to accept the proposal made by SDL. SDL is currently working with the Capitol Square Review and Advisory Board to begin the preliminary plans for the engineering that will be required to support the memorial. The Capitol Square Review and Advisory Board meets on July 18, 2013, to vote on the proposal. Once that is done, the project will move into the fabrication stages with installation and dedication targeted for April 2014.

IMPACT

Ms. Henahan reported that Andes Manta has been selected for the 2013 International Music and Performing Arts in Communities Tour (IMPACT), which begins November 1 and continues through November 23. Andes Manta energetically interweaves the music and folklore of the Andes into their performances. They will be conducting three outreach activities and one performance in each of the following communities: Marietta (venue: the historic Colony Theatre), Grove City, Cedarville (venue: the historic Cedarville Opera House), Lorain (venue: the historic Palace Theatre) and Pemberville (venue: the historic Pemberville Opera House).

Tri-State Creating Vibrant Communities through the Arts Colloquium

On June 6 and 7, Ms. Henahan and Deputy Director Mary Campbell-Zopf attended the tri-state partnership colloquium, Creating Vibrant Communities through the Arts, in Hanover, IN. The OAC, in partnership with the Indiana Arts Commission, the Kentucky Arts Council, and Ball State University Building Better Communities, presented this two-day colloquium on community

innovation and growth for arts organizations and community partners at Hanover College. The colloquium featured sessions with regionally and nationally recognized presenters exploring best practices and practical planning tools for cultural districts, community engagement, arts business incubators, rural and urban revitalization, and community planning. This colloquium was of particular interest to the OAC because of the focus on cultural districts and the value they bring to communities. The OAC's strategic plan, Goal 4—Establish Arts and Culture as a Partner in Community, Regional and State Development—addresses the importance of having the arts-and-culture voice at the table when decisions are being made about the development, redevelopment and revitalization of downtowns and communities. The information gathered will be helpful to the OAC as the board and staff address the objectives around the development of local and state cultural policies.

National PTA Convention

Ms. Henahan informed the board that she has been asked to participate on a panel in Cincinnati at the National PTA Convention. The panel will be held on Sunday, June 23, 2013, and will address how state arts agencies can help their state PTAs. Joining Ms. Henahan on the panel will be Jonathan Katz, NASAA president and CEO; Lori Meadows, executive director, Kentucky Arts Council; Lewis Ricci, executive director, Indiana Arts Commission; and Philip Horn, executive director, Pennsylvania Council on the Arts.

Farewell to Outgoing Board Members

Ms. Henahan thanked the three board members whose terms expire on July 1, 2013. She stated that Karen Bell, Louisa Celebrezze and Sara Jane DeHoff have been dedicated and supportive board members of the OAC and champions for Ohio's arts and cultural sector during their terms and will continue to support Ohio's great arts institutions, individual artists and arts education programs into the future. Ms. Henahan thanked them for their personal commitment to the agency and the arts, for their knowledge and leadership, and for their generosity of spirit that inspires them every day to work for the betterment of their communities.

Mr. Rich added his thanks to the members for their service on the board and on behalf of the arts in Ohio.

POETRY OUT LOUD RECITATIONS

Mr. Rich welcomed Rachel Strahorn, Ohio POL finalist in 2013, and Lynsay Strahorn, Ohio POL state champion in 2010, who recited poems that they had presented during past state competitions. He asked Chiquita Mullins Lee, program coordinator, Arts Learning Office, to introduce each guest.

Ms. Lee reported that Rachel Strahorn is a senior at Chaminade-Julienne Catholic High School, where she has won the POL school competition two years in a row. Rachel not only competes in POL but competes on the school's varsity soccer team and was named first team all area, first team Girls Greater Catholic League, and was awarded defensive player of the year by her coach. She has also been on the honor roll every quarter and has received the scholar athlete award every year. Rachel hopes to go to college on a soccer scholarship and study education and business. She recited "Poem about People" by Robert Pinsky.

Ms. Lee introduced Lynsay Strahorn, who also attended Chaminade-Julienne Catholic High School, where she was the POL school champion three years in a row. Making her way to the state competitions, she finished third in her sophomore year, first in her junior year (sending her to Washington, D.C. for the national competition), and second in her senior year. Along with her POL accomplishments, Lynsay was a two-sport varsity athlete and graduated valedictorian of her class in 2011. Upon graduation Lynsay attended Cleveland State University on a full ride on academic and athletic scholarships. She is a rising junior and a member of Cleveland State University women's soccer team. She has continued her academic success making the Dean's List all four semesters of her collegiate career. Upon graduation Lynsay plans to continue this success in medical school and become a pediatrician. Lynsay recited "Walking Down Park" by Nikki Giovanni.

The board adjourned for lunch at 12:05 p.m. until 12:45 p.m.

ANNUAL REPORT

David Fraher, executive director, Arts Midwest, reported that for more than 25 years, the OAC has been a strong partner of Arts Midwest. Together, they have provided enriching cultural opportunities to Ohio artists, arts organizations and audiences. In FY2013, Arts Midwest reported a 370 percent return on investment to the state of Ohio for services in 2012-2013 programming cycle. Through performing, visual, and literary arts and leadership development programs, they have leveraged \$62,242 in state dues to provide \$240,263 in services.

Mr. Fraher highlighted some programs and services that this partnership brought to urban and rural areas across the state. Arts Midwest's World Fest connects small and mid-sized Midwestern communities to world cultures through week-long residencies with global performers. World Fest's mission is to instill appreciation for diversity and acceptance of other cultures. Arts Midwest invests approximately \$100,000 to bring this program to Ohio for the two-year cycle, and local communities are only responsible for school busing, hall rental and hospitality costs. The 2011-2013 World Fest cycle featured ensembles from Israel, Pakistan, China and Bali. The ensembles visited several Ohio cities including: Cleveland, Elyria, Brunswick, Beachwood, Rocky River and Lorain. Next season's ensemble, Shangri-La, from western China, will travel to Medina. Mr. Fraher informed the members that he and Ms. Henahan have begun discussions about the possibility of including a Brazilian component to the IMPACT tour. He stated that despite the significant loss in Arts Midwest's funding from the NEA, they will continue to partner with the OAC and have set aside funding for this year's tour. Arts Midwest is exploring innovative ways of stretching OAC's dollars and making sure that the arts get into more communities throughout the state.

Mr. Fraher reported that Arts Midwest's budget did not incur loss during the last few years. They have maintained a balanced budget and were able to add to their cash reserves each year. The agency has not raised their state investment levels in 20 years; they have continued to provide the same or growing services through that period at the same dollar level of investment. Ninety percent of the agency's budget is returned to the citizens through programming activities. The remaining 10 percent is allocated for administrative costs.

Arts Midwest continues to strengthen its international work. It has ongoing work with the NEA to manage its Big Read project, Shakespeare in American Communities, and Jazz Masters Tour.

Mr. Fraher stated that Loann Crane from Columbus continues to serve on Arts Midwest's board. He added that Ms. Henahan has accepted an appointment to serve on their Strategic Plan Revision Committee and will represent state arts agencies in that process.

Mr. Hankins asked Mr. Fraher to elaborate on regional arts organizations' income streams. Mr. Fraher responded that the funding varies region by region. The Western States Arts Federation has, to a great extent, reduced their direct arts programming activities. They are primarily focused on creating software systems for public and private arts organizations, but do some required grant making as part of their federal obligations. Eighty percent of their revenue, at this point, is derived from the cash flow from the sales and maintenance of the software products. SouthArts in Atlanta, on the other hand, receives 85 percent of their funding from the NEA. Arts Midwest ranges between 45 percent federal money and 55 percent private or earned income. He explained that the federal income is high because it incorporates flow-through money that Arts Midwest receives to manage cooperative agreements for the NEA. Arts Midwest benefits from the flow-through money from the NEA because it picks up both its direct cost of programming and also drives an indirect income. Mr. Fraher added that Arts Midwest also has corporate and foundation funders.

COMMITTEE REPORTS

Finance Committee

Mr. Rich directed the board's attention to the revised biennial budget cycle preparation timeline and reported that during the April 8, 2013 board meeting, the OAC staff presented a draft of a possible approach to involving board members in the development of the agency's biennial budget proposal prior to its submission to the Office of Budget and Management (OBM). The draft timeline addresses the budget development process from the setting of board policy through proposal writing.

MOTION by Sharon Howard, seconded by Sara Vance Waddell, to approve the revised biennial budget cycle preparation timeline.

Board member Sara Jane DeHoff reviewed that during the April 2013 board meeting, she asked staff to review the language proposed in the Finance Committee descriptions with the Attorney General's Office and report back to the board. The original language stated that "the Finance Committee works with staff to prepare budget recommendations before they are presented to the board." Ms. Campbell-Zopf responded that the OAC staff had recently attended a conference session sponsored by the State Auditor's Office and had asked State Auditor David Yost about whether it was appropriate for a single board member to work with the staff to develop the agency's budget. Mr. Yost responded that the only power a public board has is as a deliberative body or as a group. If an individual inserts themselves into daily operations, they put themselves at risk of a possible lawsuit, since they are working outside of their authority. Ms. Henahan added that this opinion came from the state auditor but has not been posed to our assistant attorney general. She informed the board that staff could seek the opinion of the assistant attorney general, if they are interested. Ms. DeHoff expressed that the existing language that states that "the Finance Committee reviews staff budget recommendations before they are presented to the board" is more descriptive of what a board is authorized to do and the language should not be changed. She added that she would not vote for a change in the language. The board is authorized to review the work of the agency and not to do the work of the staff.

Board member Karen Bell clarified that the vote on the table was for the timeline and not the Finance Committee description.

Motion for the revised biennial budget cycle preparation timeline carried without dissent.

Mr. Rich reviewed that the committee also discussed the Finance Committee description and recommends the following language for full board approval:

The Finance Committee works with staff to prepare budget recommendations before they are presented to the board. These recommendations address state and federal subsidy and administrative budgets and are typically approved by the board at its June meeting before the start of the new fiscal year. If there are state budget reductions during the fiscal year, the Finance Committee would work with staff to prepare a revised budget for the board's approval at a regular or special board meeting.

Board member Sara Vance Waddell asked for clarification from Ms. Henahan about how the proposed language relates to the concerns of the state auditor. Ms. Henahan stated that her interpretation is that the Finance Committee, as a group, must work with the staff, during a public meeting session, to avoid any legal issues.

MOTION by Sharon Howard, seconded by Sara Vance Waddell, to accept the Finance Committee description as proposed.

Ms. Bell stated that the revised biennial budget cycle preparation timeline that was discussed earlier addresses tasks that are considered "working" with the staff on preparing the budget. For example: sending information to the board members ahead of time accounts for working with the staff.

Motion carried, 6-1. Sara Jane DeHoff opposed.

Mr. Rich directed the board's attention to the FY2014/2015 budget spreadsheet and quarterly budget reports. Ms. Henahan reviewed the budget and asked for approval for the FY2014 state subsidy budget based on the Senate recommendation. Both documents were discussed in great detail during the Finance Committee meeting. There were no further questions.

GRANT RECOMMENDATIONS

Sustainability (over \$1.5 million)

Dia Foley, director, Grants Office, presented the Sustainability (over \$1.5 million) grant recommendations. Current Sustainability (over \$1.5) grantees were not required to submit a full application to be evaluated through a panel process this past spring. Scores were carried over from Fiscal Year 2012 Sustainability (over \$1.5 million) Panel. They were, however, required to submit: 1) a one-paragraph explanation of their next year's programming, 2) an independent certified audit, 3) Financial Form M cross-referenced to the audit, and 4) an Independent Auditor's Statement (confirming Form M information). The financial information is to verify the applicant's last fiscal year (LFY) operating income, which is used in the formula to calculate grant amounts. Six new organizations submitted full applications to the Sustainability (over \$1.5

million) program. A panel meeting was held on April 23, 2013 to review applications and make a funding recommendation. The following six organizations were recommended for funding:

1. Art Opportunities, Inc.
2. Community Partnership for Arts and Culture
3. Ensemble Theatre of Cincinnati²
4. Greater Akron Musical Association
5. The Rock and Roll Hall of Fame Museum
6. Youngstown Symphony Society, Inc.

Ms. Foley informed the members that the Toledo Cultural Arts Center/Valentine Theatre's income fell below the \$1.5 million eligibility requirement and asked the board to consider whether to "grandfather" them into the Sustainability (over \$1.5 million) program or to fund the organization in the Sustainability (under \$1.5 million) program. She stated that in the past, the board has grandfathered in current, long-standing grantees whose operating income has suddenly fallen below the program's required income level. Ms. Foley then walked the members through the grant amounts for all 43 organizations in the program with the inclusion and exclusion of the Toledo Cultural Arts Center.

MOTION by Sara Jane DeHoff, seconded by Karen Bell, to grandfather in any organization that has received funding in the Sustainability (over \$1.5 million) and whose income falls below the eligibility level within a four-year cycle until the beginning of the next cycle.

Mr. Hankins inquired if this type of fluctuation is typical. Ms. Henahan responded that it has happened in the past and general consensus has been to grandfather in those organizations. However, the amount below \$1.5 million that an organization has fallen to has typically been less significant than Toledo Cultural Arts Center's.

Ms. Bell inquired if the staff has more information on why this happened. Is this a temporary fluctuation? Ms. Foley responded that the organization did not submit anything with their financial documents but she can request it.

Mr. Hankins asked for clarification about the motion made. Mr. Rich responded that the motion suggests that the OAC grandfather in any organization that has received funding in the Sustainability (over \$1.5 million) within the current four-year cycle until the beginning of the next cycle instead of conducting a separate review and grandfathering each organization annually.

Ms. Waddell asked if it would be possible for the board to review each organization yearly instead of grandfathering in for four years.

Motion fails, 0-7.

MOTION by Karen Bell, seconded by Sharon Howard to grandfather the Toledo Cultural Arts Center/Valentine Theatre for all four years into the Sustainability (over \$1.5 million) program.

Motion carried without dissent.

MOTION by Karen Bell, seconded by Robert Hankins, to approve the Sustainability (over \$1.5 million) grant recommendations without ArtWorks/Art Opportunities, Ballet Metropolitan, Inc., Cleveland Orchestra/Musical Arts Association, Dayton Arts Institute, Greater Columbus Arts Council, Toledo Museum of Art, and Toledo Symphony Orchestra. **Motion carried without dissent.**

MOTION by Sara Jane DeHoff, seconded by Monica Kridler, to approve the Sustainability (over \$1.5 million) grant recommendation for ArtWorks/Art Opportunities. **Motion carried without dissent. One conflict of interest – Sara Vance Waddell left the room for the discussion and vote.**

MOTION by Sara Jane DeHoff, seconded by Sara Vance Waddell, to approve the Sustainability (over \$1.5 million) grant recommendation for Ballet Metropolitan, Inc. **Motion carried without dissent. One conflict of interest – Monica Kridler left the room for the discussion and vote.**

MOTION by Sharon Howard, seconded by Sara Vance Waddell, to approve the Sustainability (over \$1.5 million) grant recommendation for the Greater Columbus Arts Council. **Motion carried without dissent. One conflict of interest – Karen Bell left the room for the discussion and vote.**

MOTION by Sara Vance Waddell, seconded by Monica Kridler, to approve the Sustainability (over \$1.5 million) grant recommendation for the Cleveland Orchestra/Musical Arts Association. **Motion carried without dissent.**

MOTION by Sara Jane DeHoff, seconded by Sara Vance Waddell, to approve the Sustainability (over \$1.5 million) grant recommendation for the Dayton Arts Institute. **Motion carried without dissent. One conflict of interest – Sharon Howard left the room for discussion and vote.**

MOTION by Sara Vance Waddell, seconded by Robert Hankins, to approve the Sustainability (over \$1.5 million) grant recommendations for the Toledo Museum of Art and Toledo Symphony Orchestra. **Motion carried without dissent. One conflict of interest – Sara Jane DeHoff left the room for discussion and vote.**

Sustainability (under \$1.5 million)

Ms. Foley presented the Sustainability (under \$1.5 million) grant recommendations.

MOTION by Sara Vance Waddell, seconded by Karen Bell, to approve the Sustainability (under \$1.5 million) grant recommendations without the Canton Ballet, Canton Museum of Art, Canton Symphony, Massillon Museum, Players Guild Theatre, Voices of Canton, Inc. and Westin Art Gallery. **Motion carried without dissent.**

MOTION by Sara Jane DeHoff, seconded by Sharon Howard, to approve the Sustainability (under \$1.5 million) grant recommendations for the Canton Ballet, Canton Museum of Art, Canton Symphony, Massillon Museum, Players Guild and Voices of Canton, Inc. **Motion carried without dissent. One conflict of interest – Robert Hankins left the room for discussion and vote.**

MOTION by Sharon Howard, seconded by Karen Bell, to approve the Sustainability (under \$1.5 million) grant recommendation for the Westin Art Gallery. **Motion carried without dissent. One conflict of interest – Sara Vance Waddell left the room for discussion and vote.**

MOTION by Karen Bell, seconded by Sara Vance Waddell, to approve the Sustainability (under \$1.5 million) grant recommendations for the Pomerene Center for the Arts and Cuyahoga Valley Youth Ballet. **Motion carried without dissent. One conflict of interest – Monica Kridler left the room for discussion and vote.**

Arts Access (Operating Support)

Dan Katona, research and program development director, Office of Grants Administration and Operations, presented the Arts Access grant recommendations.

MOTION by Sara Vance Waddell, seconded by Karen Bell, to approve the Arts Access grant recommendations. **Motion carried without dissent.**

Artist in Residence

Chiquita Mullins Lee, program coordinator, Arts Learning Office, presented the Artist in Residence grant recommendations.

MOTION by Sharon Howard, seconded by Karen Bell, to approve the Arts Learning: Artist in Residence grant recommendations. **Motion carried without dissent.**

Arts Partnership

Ms. Mullins Lee presented the Arts Partnership grant recommendations.

MOTION by Robert Hankins, seconded by Sara Vance Waddell, to approve the Arts Learning set-aside funds and Arts Learning: Arts Partnership grant recommendations without ArtWorks/Art Opportunities and Ballet Metropolitan, Inc. **Motion carried without dissent.**

MOTION by Sharon Howard, seconded by Monica Kridler, to approve the Arts Learning: Arts Partnership grant recommendation for ArtWorks/Art Opportunities. **Motion carried without dissent. One conflict of interest – Sara Vance Waddell left the room for discussion and vote.**

MOTION by Sharon Howard, seconded by Sara Vance Waddell, to approve the Arts Learning: Arts Partnership grant recommendation for the Ballet Metropolitan, Inc. **Motion carried without dissent. One conflict of interest – Monica Kridler left the room for discussion and vote.**

Traditional Arts Apprenticeships

Ms. Campbell-Zopf presented the Traditional Arts Apprenticeships grant recommendations.

MOTION by Robert Hankins, seconded by Sara Vance Waddell, to approve the Traditional Arts Apprenticeships grant recommendations. **Motion carried without dissent.**

Project Support (General and Creative Economy)

Mr. Katona presented the Project Support (General and Creative Economy) grant recommendations.

MOTION by Sharon Howard, seconded by Sara Vance Waddell, to approve the Project Support grant recommendations without the United Way of Greater Toledo. **Motion carried without dissent.**

MOTION by Sara Vance Waddell, seconded by Sharon Howard, to approve the Project Support grant recommendation for the United Way of Greater Toledo. **Motion carried without dissent. One conflict of interest – Sara Jane DeHoff left the room for discussion and vote.**

Board member Monica Kridler asked about the relationship between the request amount and the funded amount for each grant. Ms. Howard clarified that the funded amount is determined by the score and panelist comments. Ms. DeHoff inquired about the Put-in-Bay Arts Council request where the requested amount was lower than the funded amount. Mr. Katona explained that organizations are allowed to request fee support funding to present artists on the Ohio Artists on Tour Roster and those funds show up as add-ons to their operating support grant. He added that the last panel comment indicates that there is a certain amount of money awarded as fee support, if an organization receives this additional support.

Ms. Kridler returned to her question of why there is a discrepancy between the overall request and overall funded amount in a given program. Mr. Katona responded that the OAC funds up to the available budget for a program but there are rarely sufficient funds to cover the aggregate request.

GRANT RATIFICATIONS

Ms. Campbell-Zopf reviewed the grants that were awarded after the April 8, 2013, board meeting and must now be ratified by the board.

Ms. Vance inquired about the Artists with Disabilities program (ADAP) grants and why there is always difference between the amount requested and the amount funded. Is it because of the budget allocated for that program? Ms. Campbell-Zopf stated that the amount funded is determined by the amount of money allocated for the program and the score of the applicant. As the program has become better known and more applications have come in, the OAC started awarded more partial awards based on the applicant's score and available funds. Now that the ADAP program evaluation is complete, we will be recommending a number of changes to the program that will help us address this funding issue. Changes to the ADAP grant guidelines will be presented to the board during their fall meeting.

MOTION by Karen Bell, seconded by Sara Vance Waddell, to ratify grants awarded in Special – Organizations FY2012 and FY2013, and Artists with Disabilities Access FY2013. **Motion carried without dissent.**

COMMITTEE REPORTS (continued)

Executive Committee

Mr. Rich reported that the Executive Committee approved the OAC quarterly budget reports and the FY2014/2015 budget spreadsheet. The committee heard an update about POL, agency

communication activities, online grant system research and agency priority work. Mr. Rich added that the members discussed the Wexner Center's appeal that the OAC board reconsider their request to move their organization into the Sustainability (over \$1.5 million) grant category. The committee directed the OAC staff to further research this issue to assist the OAC board in making a more informed vote at a future board meeting.

MOTION by Robert Hankins to accept the report of the Executive Committee report. **Motion carried without dissent.**

OHIO HERITAGE FELLOWSHIPS RECOMMENDATION

Ms. Campbell-Zopf reviewed that the OAC awards Ohio Heritage Fellowships in recognition of the significant impact an individual or group has had on the people and communities of the state through their folk and traditional art activities. This year, the OAC is pleased to announce the two recipients of the 2013 Ohio Heritage Fellowship: dancer and choreographer Anupama Mirle from Liberty Township, and West-African drummer and dancer Sogbety Diomande from Mansfield.

MOTION by Sara Vance Waddell, seconded by Karen Bell, to approve the Ohio Heritage Fellowship Recommendations.

Ms. Howard inquired if the fellows will be performing at the 2013 Cityfolk Festival. Ms. Campbell-Zopf responded that the fellows are performing at the Columbus International Festival instead of the Cityfolk Festival this year. The OAC's partnership with Cityfolk will continue; however, this year's performance was moved because of timing as well as venue requirements for Indian dancer Anupama Mirle.

Motion carried without dissent.

STAFF PRESENTATION

Joint Committee on Agency Rule Review (JCARR) Procedures

Mr. Rich reported that Ms. Campbell-Zopf and Assistant Attorney General Angela Sullivan will present an overview of the revision process for the agency's Administrative Rules through the Joint Committee on Agency Rule Review (JCARR) and a report on board questions about quorums. After the presentation, the board will discuss and vote on the proposed changes to the rules. The board will first discuss and vote on the more straightforward revisions (i.e., alignment with JCARR style restrictions, gender-balancing of pronouns, etc.) The second discussion and vote will focus on three rules on: quorum, notice to the public, and gifts and donations.

Ms. Campbell-Zopf reviewed that the OAC is constituted by a statute from the General Assembly that sets the provisions for all of the agency's work. The agency also has rules that are set forth in the Ohio Administrative Code. In administrative law, rule-making refers to the process that agencies use to create or promulgate detailed regulations or procedures associated with their enabling statute. While an agency's statute typically does not change much over time, JCARR requires an agency to review rules periodically or in response to new federal and state laws and requirements, agency procedures and/or difficulties that arise when trying to implement a rule. A review of the rules is conducted in conjunction with the assistant attorney general and is approved first by the OAC board and then by JCARR. The ultimate goal of our review process is

to produce agency's rules that are clear and comport with our authorizing legislation. Ms. Campbell-Zopf asked Ms. Sullivan to present on the rule review for quorum notification.

Before beginning her presentation, Ms. Sullivan asked the board if they would like to waive their attorney/client privileges before proceeding with her presentation.

MOTION by Jeff Rich (no second needed) to waive attorney/client privileges. **Motion carried without dissent.**

Ms. Sullivan reviewed that a quorum is the number of members of a body defined as competent to transact business. The common law states that the majority of a body constitutes a quorum but the OAC's statute does not define quorum. Ohio Revised Code 3379-04 (C) gives the council the right to "adopt such rules as are necessary for administration of Chapter 3379 of the Revised Code." The council did adopt such rules including Ohio Administrative Code 3379-3-05, which defines a quorum as the "simple majority of the members of the Ohio Arts Council." Ms. Sullivan added that the OAC board is made up of voting and non-voting members. In the rules, there is no differentiation between the two types of members; therefore, the OAC is required to count all members towards the quorum. Ms. Sullivan stated that the OAC board has the authority to change the language to Ohio Administrative Code rule 3379-3-05 to include only voting members when calculating quorum.

Ms. Sullivan continued that although the OAC is required to count both voting and non-voting members as part of the quorum, the agency is only required to count the appointed members and not the vacant seats. Currently, the OAC has 14 appointed members who have been confirmed through the Senate. Therefore, the majority is of 14 is eight, so eight members are needed to make a quorum.

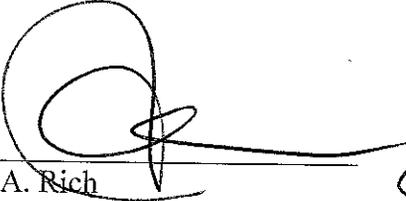
At this point, Ms. Sullivan and the OAC board realized that because of a last-minute absence by a board member there was not a quorum present and the meeting needed to be adjourned

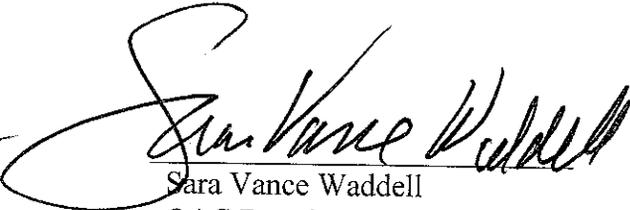
MOTION by Karen Bell, seconded by Sara Jane DeHoff to adjourn the meeting.

ADJOURNMENT

The meeting adjourned at 2:40 p.m.

An audio recording of this session is available upon request.


Jeffrey A. Rich
OAC Board Chair


Sara Vance Waddell
OAC Board Secretary