

**OHIO ARTS COUNCIL
EXECUTIVE COMMITTEE MEETING
April 3, 2014**

The meeting was called to order by committee Chair Jeff Rich at 11:20 a.m. in the offices of the Ohio Arts Council in Columbus. Committee members in attendance: Jeff Rich, chair; Jane Foulk, secretary; Robb Hankins; and Monica Kridler. Absent: Vice Chair Ginger Warner and Sharon Howard. Other OAC board members present: Jon Holt, Darryl Mehaffie, and Sara Vance Waddell. Staff attending: Julie Henahan, Mary Campbell-Zopf, Missy Ricksecker, Brianna Dance, Dan Katona, Szekacs and Elizabeth Weinstein. Also in attendance: Donna Collins, executive director, Ohio Citizens for the Arts; and Rebecca Cochran, legislative aide to Senator Gail Manning.

Executive Committee Chair Jeff Rich welcomed everyone to the Executive Committee meeting.

OAC Quarterly Budget Reports and FY2014-2015 Budget Update Highlights

Mr. Rich directed the committee's attention to the Quarterly Budget Reports and the FY2014-2015 Budget Update. He stated that the allocation of funds within the individual program budgets would remain the same for FY2015 since state funding between the biennium years was flat. Executive Director Julie Henahan added that staff does not yet know what the federal funding will be for FY2015.

Committee member Robb Hankins asked if it would be correct to say that the agency receives roughly \$11 million in state funding and \$1 million in federal funding. Mr. Rich affirmed that this was correct.

Joint Committee on Agency Rule Review (JCARR) Report

Deputy Director Mary Campbell-Zopf stated that all state agencies in Ohio review their rules on a five-year schedule and propose changes if necessary. The rules (whether changed or unchanged) then are reviewed by the Joint Committee on Agency Rule Review (JCARR) to determine whether they fit within the statutory authority of the agency. Each submitted rule contains a financial analysis of the impact the rule will have on local government, schools and businesses. The current administration has added the "Common Sense Initiative" to the review process, which requires agency's to consider any undue burden—either financial or in terms of staff labor—the rule will put on constituents. She added that the OAC's rules are enumerated in the Ohio Administrative Code and elaborate on the agency's authorizing legislation.

She continued that while the five-year rule revision process was delayed because of quorum issues, they were approved by the board at the September 17, 2013, meeting. Following the Council's approval, a staff team led by Mary Campbell-Zopf and including Brianna Dance, Dan Katona, Missy Ricksecker and Jim Szekacs was formed to begin the process of formally revising the rules and filing them with the Secretary of State, the Legislative Service Commission (LSC) through the state's Electronic Rule Filing system (ERF), and JCARR. The study group's objective was to learn the intricacies of the process to ensure that a degree of institutional memory was maintained and would inform any future update processes.

After studying the process during the late fall, creating and editing revised versions of each rule using the state's rule-authoring software, and pausing work during JCARR's annual "December carry-over" (during which no new rules are reviewed), the agency formally filed all unchanged, amended and new rules on January 24, 2014. Rules were then scrutinized and edited by LSC staff members, and the OAC was asked to re-file one rule (3379-15-04), adding boilerplate language noting the date that federal legislation was enacted. That rule was updated and re-filed on February 7, 2014. No other changes were requested. The main package of 24 amended and one new rule was reviewed and approved by JCARR at their March 17, 2014 meeting.

Ms. Campbell-Zopf continued that following the approval from JCARR, each rule must be "final filed" within the ERF system in order to take effect. All rules will be updated within the Ohio Revised Code system by LSC staff and take effect in late spring. She noted that the changes to the quorum rule in particular would be of critical importance to the board, as it brings the agency rules in line with all other agencies' rules by requiring a quorum based on voting members rather than on both voting and non-voting members. The quorum for the current board of 13 members will be seven.

She added that in addition to the rules being brought into accordance with the state's five-year review process, the agency now has a well-trained staff and new rules that are clearer, contain gender-neutral language, and comport with the agency's authorizing legislation. Given the comprehensive nature of this review, future five-year updates should take less time.

Committee member Robb Hankins shared that he learned about the importance of quorum at his first OAC board meeting, when all business had to be tabled because of lack of quorum, and the board had to resume business in a special executive committee session. Ms. Henahan added that the agency is fortunate to have a provision in its rules that allows for the executive committee to act a decision-making body *in an emergency*.

Committee member Monica Kridler asked if the new rule on gifts and donations went into details about the mechanics of how gifts and donations are received and how the money is expended. Ms. Campbell-Zopf replied that the rule was primarily to clarify certain aspects of receiving gifts and donations and to protect the agency from potential demands by donors, such as naming rights. She added that a set fiscal process is already in place for how money goes into the state treasury. Ms. Henahan added that the money goes into a discretionary fund that has been used, among other things to meet payroll, to hire outside contractors, and pay for print ads. She continued that the funds are bound by the legislature's determination of the agency's authority to spend funds in particular accounts. For example, the gifts and donations account currently has approximately \$300,000, but the agency is only authorized to spend \$247,000 in this fiscal year. She noted that this works out because the state allows the agency to roll over the balance of the gifts and donations account each year, but that staff keeps a close eye on this account because the state does not like for an agency to have over four percent of its money in a discretionary fund. She added that, for example, when the agency received \$25,000 into this fund to help pay for the new online grants system, the money went into the gifts and donations account and will remain there until they are needed.

Ms. Kridler asked for clarification on what other types of funds go into this account. Ms. Henahan answered the gifts and donations line has traditionally been the place where the agency puts the occasional donation from an individual, and grant money from a foundation or other entity for special projects, such as Riffe Gallery exhibitions. The account is also used for sale of agency publications, such as *Focusing the Light* and *The Appreciative Journey*. The largest portion of this line comprises the funds from DAS to operate the Riffe Gallery.

Agency Communications Report

Public Information Office (PIO) Director Elizabeth Weinstein stated that preparations for the 2014 Governor's Awards for the Arts in Ohio are the major focus for PIO at this time. Key activities include preparing the event program, working with the Ohio History Channel to produce winner tribute videos, and managing media sponsorships. She noted that ads and articles publicizing the event are currently running in various publications and television stations, and tickets are available through the Ohio Citizens for the Arts.

Ms. Weinstein stated that PIO continues to distribute copies of the *Arts Part of the Solution* stories and the agency's bi-monthly *ArtsOhio* e-newsletter to the legislature. She continued that the agency's press releases, social media and online presence on ArtsinOhio.com continue to grow. The OAC Facebook page now has 5,333, and 1,720 people follow the agency's Twitter account, which represents a 76.8 percent increase from February of 2013. She added that the 2014 Arts Festivals and Competitions Directory was published in January and continues to be a popular publication, and pointed out the wide array of media coverage the OAC has received since October, 2013.

Ms. Kridler asked how the table sales for the Governor's Award Luncheon were going. Ms. Weinstein fielded the question to OCA Executive Director Donna Collins, who replied that table sales were going well and assured the committee that the event was on track to sell out.

Agency Priority Work

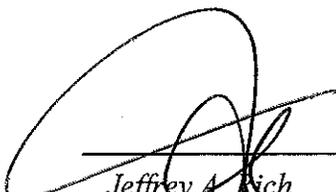
Ms. Henahan presented highlights of the agency's priority work from April–June, including panel meetings, which will continue through May; the Governor's Awards for the Arts in Ohio, which will take place on May 21; the OBM and NEA study group work, which will continue through the completion of those documents; and the Council Book for the June 19 meeting. She continued that the executive staff would be working with Ms. Collins as part of the executive transition plan, and the new online grants program would be a big focus for the Grants Office staff. She added that the Riffe Gallery will kick off its 25th anniversary celebrations on May 1 with the opening of the exhibition "Impressive Impressions."

Mr. Rich shared that he was grateful for the work that staff was doing to ensure a smooth executive transition, and added that since none of the board members or the agency's legal counsel had provided any feedback about the employment contract with Ms. Collins, he assumed that there were no objections. He continued that he would be asking the full board to agree to waive attorney-client privilege so that any legal activity regarding the agency be shared with Ms. Collins up to the time she takes office in July.

Approved: June 19, 2014

Meeting was adjourned at 11:45 p.m.

An audio recording of this session is available upon request.



Jeffrey A. Rich
OAC Board Chair



Jane Foulk
OAC Board Secretary