

VISUAL, PERFORMING ARTS & FILM COMMITTEE

Call to Order

The regular meeting of the **Visual, Performing Arts & Film Committee** was called to order on Thursday, **April 22, 2010** at 11:03 AM. Members present: Ellen Newbold, Chair; Rolf Blizzard, RIC Chair; Saint Basnight; Betsy Brown; Joe Bryan; Glenn Eure; and Joanne Williams. Non-voting members present: Valerie Bateman, RIC Counsel. Commission members present: Linda Carlisle, NCDCCR Secretary (partially); Malcolm Fearing (partially); and Fountain Odom. Also present: Grace Bishop, Vineyards on the Scuppernong, Columbia, NC (partially); Jack Bishop, Vineyards on the Scuppernong, Columbia, NC (partially); Sharon Enoch, Full Moon Cafe, Manteo, NC; Debbie Gibbs, Friends Operations Director; Kathy Horne, Elizabeth R & Company (partially); and John Wright, Sanctuary Vineyards, Currituck County (partially). Staff members present: Kim Sawyer, Acting Executive Director; Andrea Hanganu, Administrative Assistant; Amy Hinnant, Operations Manager (partially); and Johnny Walker, Program Manager. Absent: Bill Kealy and Robert Long.

Welcome

Chairman Ellen Newbold welcomed all in attendance and requested introductions from guests.

Adoption of Agenda

The agenda was adopted by consensus with a change requested by Chairman Newbold to move the *Wine Tasting Event at Festival Park* item to immediately after the *Elizabeth R* item, even though it is not *Old Business*, so that group will not have to remain through the entire process with the committee.

Approval of Minutes

On motion by Joanne Williams and second by Glenn Eure, the committee minutes of January 29, 2010 were approved by consensus.

Old Business Revisit Elizabeth R Performance Schedule

Chairman Newbold reported that as a result of questions from certain community members and Commission members, the agenda item of *Elizabeth R Performance Schedule* was being revisited. Chairman Newbold explained that at its last meeting this committee heard reasons why there were not as many scheduled Elizabeth R and Company (ER&Co.) performances as the previous year, and the committee had approved the recommendation. Chairman Newbold noted that six performances offered are not yet scheduled due to conflicts with ER&Co.'s calendar.

As the committee member who had contacted Chairman Newbold, Joanne Williams began discussion and reported on confusion, company shows performed, and difficulties in scheduling.

ER&Co. President Kathy Horne reported that the minimum desired is six performances of two shows (*Bloody Mary and the Virgin Queen* and *Shepherd of the Ocean*), for a total of 12 shows.

Chairman Newbold provided a historical report regarding ER&Co. discussions from prior minutes along with steps noted in a July 2007 report from former-RIC Executive Director Scott Stroh.

Chairman Newbold reviewed handouts prepared by RIFP Program Manager Johnny Walker for summer programming supported by the Friends (filed as an attachment in the official Report Book). Chairman Newbold clarified that members had received and approved this information in a different format at the last committee meeting. Explanation was provided as to why cuts had been made.

RIC Chairman Rolf Blizzard initiated discussion regarding the potential for scheduling the six approved performances and six additional desired performances. He noted that no dates have been worked out, including for the original six. Kim Sawyer initiated discussion regarding the possibility of ER&Co. also performing *The Apple Tree*, the show about Adam and Eve.

Chairman Newbold initiated discussion regarding the necessity of requesting funding from the Friends for additional performances. Johnny Walker confirmed the cost of \$7,500.00 (\$6,000.00 + sound) to add six additional shows and requested *The Apple Tree* be performed for an equal number of shows.

Joe Bryan noted the problem as administrative rather than Commission. Mr. Bryan initiated discussion regarding whether a conflict of interest existed between any Commission members and ER&Co.

Motion

Betsy Brown made a motion that first the Commission inquire as to whether funding is available from the Friends for \$7,500.00, which seems to be the only source; and if so, RIFP Program Manager Johnny Walker and Elizabeth R and Company try to work out mutually agreeable dates; but if the Program Manager says it is not possible, then the RIC accepts that and is not committed to this additional six performances. RIC Chair Rolf Blizzard seconded the motion. Kathy Horne stated that she did not have a prepared presentation for the committee. Ms. Brown suggested working this out with no long-term essential commitment if possible because it is late in the year. Motion carried by unanimous vote. Saint Basnight (first cousin to ER&Co. President), Glenn Eure (unpaid set designer), and Joanne Williams (ER&Co. Treasurer) recused themselves from voting to avoid any potential conflict of interest.

Vote

* Kathy Horne left the meeting. *

New Business
Proposal for Wine
Tasting Event at
RIFP

Chairman Newbold reported that the committee received a proposal from Jack and Grace Bishop of Vineyards on the Scuppernong in Columbia, NC to do a series of wine tastings at Festival Park. Chairman Newbold introduced Jack Bishop who reviewed a handout of proposal details (filed as an attachment in the official Report Book). Mr. Bishop noted the following:

- Plan presented to RIFP in November 2009.
- Event to be 12 consecutive Thursdays.

Discussion followed regarding the proposed wine tasting event at RIFP, with the following noted:

- Wineries participating, how wineries are chosen, and whether western NC wineries may participate.
- Fees and any potential cost to RIFP.
- Type of people typically coming to event.
- Whether proximity of the beach to the Whalehead Club causes more people to attend there.
- Whether event violates any existing policy guidelines regarding facility usage.
- Potential of cross-promoting with restaurants and websites.
- Potential lease with for-profit corporation Vineyards on the Scuppernong, LLC; Jack Bishop agreed to provide information on John Wright's 501(c) 3 non-profit, Northeast North Carolina Wine Growers.

Joe Bryan initiated discussion regarding whether the issue could be discussed in Executive Session.

Jack Bishop initiated discussion regarding events that the NC Wine Council does on state property.

* John Wright left the meeting. *

Discussion continued regarding questions and issues with the proposed wine tasting event. DCR Secretary Linda Carlisle noted the need for consideration of purpose and mandate before mechanics are discussed, and whether the event is a fit with what should be done at RIFP.

Chairman Newbold thanked Mr. Bishop and stated that the committee will take some kind of action before long. RIC Chairman Blizzard explained the procedure for decisions regarding such requests and said the Commission will be in touch.

* Jack Bishop and Grace Bishop left the meeting. *

Old Business
Proposed First
Amendment Public

Chairman Newbold provided an update regarding progress of the proposed First Amendment Public Policy draft initiated by this committee, noting that RIC Chairman Blizzard has now asked the Finance Committee to examine fees.

Policy that Ties in
to RIC Mission

* DCR Secretary Linda Carlisle and Malcolm Fearing left the meeting. *

Discussion was held regarding the proposed policy, with the following being noted:

- Potentially including provision requiring leasing parties to provide an educational component informing visitors of what the RIFP property is about.
- Legal advice provided by Valerie Bateman:
 - Lack of reason to go into Executive Session during previous discussion.
 - Necessity of a policy; necessity of *consistency* in the absence of a policy.
 - Denial permissible only based on policy or availability if RIFP has been treated like a public forum.
- Potential time necessary to develop a policy.

The committee agreed by consensus that the proposed First Amendment Public Policy needs to go before the RIC Facilities and Land Committee and the RIC Finance Committee and then to the full Commission for final approval.

Discussion followed regarding concerns and questions with the proposed wine tasting event, with the following being noted:

- Existence of any precedent, potential next steps, and potential RIC liability.
- Lack of adequate time to study all issues even if there is an offer of a one-time event.
- Necessity for consistency in charging the current fee (\$1,250.00/day) for the Pavilion (Bateman).
- Preference that the policy be put in place before response is given (Bateman).
- Necessity of a response in writing by the attorney.
- Verification that no summer or fall 2010 events are currently scheduled involving alcohol (Walker).

Chairman Newbold initiated discussion regarding the need for a letter of response regarding the wine tasting event that states numerous issues must be sorted out. The committee agreed to the following:

- RIC Chairman Blizzard will work with Valerie Bateman and Grayson Kelley to first create a draft letter, circulate it to committee members, and then sign it.
- Commission must move with haste on the policy so it becomes more than a draft by October 2010.
- Kim Sawyer will find out from DCR Secretary Carlisle whether any other state historic sites include rentals with alcohol involvement.

Valerie Bateman initiated discussion regarding the issue potentially coming into play during July 2010 committee meetings. Kim Sawyer stated since RIC Chairman Blizzard has passed this on to the Finance Committee, she will be suggesting in that committee that there be a workshop or sub-committee formed to review urgent information.

Staff Updates

Johnny Walker reviewed a RIFP Performance Series schedule (filed as an attachment in the official Report Book) outlined as follows:

- Complete series listing; FY 2009/2010 and FY 2010/2011 breakdown.
- 2009/2010 attendance report.

Chairman Newbold noted this report was a result of January 2010 committee work and being provided to the Commission tomorrow (04/23/10). Kim Sawyer agreed to provide the RIC copies the next day.

(NC Symphony
Performance)

Chairman Newbold reviewed in detail prior steps taken by the committee to schedule a 2010 NC Symphony performance at RIFP.

Motion

Glenn Eure made a motion to verify prior committee action made by email approving spending \$14K of Performance Series funding to assist in bringing the NC Symphony to RIFP to perform on June 20, 2010. Joanne Williams seconded the motion. Motion carried by consensus. RIFP Administrative Assistant Andrea Hanganu agreed to file emails from Chairman Newbold in the official Report Book.

Vote

(Consideration of

Johnny Walker requested to bring the following two programming considerations to the committee:

Programming Opportunities)

- Margie Farmer with Class Acts on Tour has requested permission to rent the facility for an evening African Music Festival on July 21-22 or July 28-29, 2010; she is willing to rent the facility to bring an evening Country & Bluegrass Concert along with a Sunday morning gospel program in August 2010.
- Agent for the Chinese Acrobats is willing to perform two shows Memorial Day weekend (May 29-30, 2010) at RIFP in exchange for housing with a 50-50 split. (Chairman Newbold noted that the last contract was with the Friends LLC.)

Following discussion, the committee agreed by consensus for Johnny Walker to proceed with booking the shows with Margie Farmer and the Chinese Acrobats.

Chairman Newbold reported that at the January 2010 meeting it was pointed out the committee name is wrong in the RIC bylaws. Thirty days ago the Commission was sent an email informing them of a bylaws change in the upcoming Commission meeting tomorrow (04/23/10), which she will present.

(Finance Report Amy Hinnant)

RIFP Operations Manager Amy Hinnant joined the meeting and reviewed a financial report on Performance Series spending (filed as an attachment in the official Report Book), including the following:

- \$438,564.00 appropriation total; \$101,381.81 undesignated based on approved budget.
- Amount spent (left-hand side, p. 1); what has been processed and sent to Raleigh (p. 2).

Ms. Hinnant answered questions regarding whether budget column amounts were approved for 2009/2010 and whether insurance existed for pianos, lights, etc. Johnny Walker reviewed details of amounts already spent, including \$231,213.00 of shows booked from late-June to December 2010.

RIC Chairman Blizzard initiated discussion regarding whether funds transferred to the RIC revert back, stay on the bottom line as part of the balance for a new year, and have the same restrictions as before the reversion. RIC Chairman Blizzard agreed to find out the answer to this question.

Johnny Walker initiated discussion regarding whether he could proceed in finding an appropriate performance for late May 2010 through this year's appropriation.

Johnny Walker reported an equipment purchase request for sound at approximately \$62K for 20 lavalieres (mics) that must be rented or purchased for this year's Performance Series. The quote received is for \$20-25K to rent the equipment this year. The cost to purchase the equipment is \$62-65K. Chairman Newbold noted this is beyond what has already been approved for sound and is for a different kind of equipment.

Motion Vote

Betsy Brown made a motion to approve the expenditure for sound equipment needs presented by RIFP Program Manager Johnny Walker. Joanne Williams seconded the motion. Motion carried by consensus.

Commission Recommendations

Commission recommendations were previously noted.

Announcements

The next meeting of the Visual, Performing Arts & Film Committee is Friday, July 23, 2010 at 11:00 AM.

Adjournment

With no further business the meeting was adjourned at 1:20 PM.

Minutes submitted by: Andrea Hanganu, Administrative Assistant

Upon a vote by the Visual, Performing Arts & Film Committee, approved by:

Angel Khoury, Secretary, Roanoke Island Commission