

**Bisbee Arts Commission Special Session  
Meeting Minutes**

Wednesday February 24, 2010 5:30 **P.M.**

**City Hall, second floor conference room**, 118 Arizona Street, Bisbee, AZ

Called to order at **5:30** p.m. by Tate Rich

Roll Call: P= Present A=Absent E=Excused

Tate Rich, Chair	P <input checked="" type="checkbox"/> A <input type="checkbox"/> E <input type="checkbox"/>	Melissa Holden	P <input checked="" type="checkbox"/> A <input type="checkbox"/> E <input type="checkbox"/>	Kathy Sowden	P <input checked="" type="checkbox"/> A <input type="checkbox"/> E <input type="checkbox"/>
Shawnee Hicks	P <input type="checkbox"/> A <input checked="" type="checkbox"/> E <input type="checkbox"/>	Hans Decoz	P <input checked="" type="checkbox"/> A <input type="checkbox"/> E <input type="checkbox"/>	Francie Hammitt	P <input checked="" type="checkbox"/> A <input type="checkbox"/> E <input type="checkbox"/>
Cynthia Conroy	P <input checked="" type="checkbox"/> A <input type="checkbox"/> E <input type="checkbox"/>	Paula Bohte	P <input type="checkbox"/> A <input type="checkbox"/> E <input checked="" type="checkbox"/>	Denisse Escarcega	P <input checked="" type="checkbox"/> A <input type="checkbox"/> E <input type="checkbox"/>

**Also present: Mark Langlitz, City Attorney, John Charley, Community Development Director, Melissa Hartman, Staff liaison to BAC**

1. Discussion, review and possible decision on policies and procedures for the Seventeenth Annual Benefit Art Auction to be held March 6, 2010

**A lengthy discussion was held regarding confusion by the artists and the BAC board members about the percentage of compensation artists will receive, should their items sell at the Art Auction. The Board discussed the possibility of sending out letters to clarify. Attorney Mark Langlitz reminded the Board that any changes in language would need to go back to the Mayor and Council for approval. Mr. Langlitz also cautioned the Board on following Open Meeting Laws and about the perception of email communications.**

**It was discussed that in past auctions, the artists received 50% of the value of the sale and the other 50% went to BAC. This year, in order to allow the bidding to move quicker and more art pieces to sell, a letter was sent to artists offering them the option to set an estimated retail price for donated art and to indicate the minimum amount the artists would be willing to receive for the donated art. If an item could not be sold for the minimum amount, the item would be returned to the artist. Not included in the letter was the statement that if an item sells for more than the retail price, the artist will receive 50% of that sale price and BAC will receive 50%.**

**There was concern by Board members that without clarification, artists may hesitate in the future to donate to the Art Auction. Attorney Langlitz advised the Board that the nature of the relationship between the artists and the City was based in contract and that the 50/50 split was a part of the contract based on past practices and dealings between the parties.**

**Motion was made by Kathy Sowden that artists receive specified minimum amount or 50% of selling price, whichever is greater. Motion was seconded by Hans Decoz. Motion passes unanimously**

**Staff comments: NONE**

**Member's comments:**

**Chairman Tate Rich acknowledged that Kathy Sowden has done an excellent job as chair of the 17<sup>th</sup> Annual Art Auction**

**Adjournment: 6:12 P.M.**