

RE: AN ORDINANCE TO ESTABLISH AN ARTS COMMISSION - County of Ingham,
Michigan

Adopted May 23, 1978

Resolution Number 78-126

THE PEOPLE OF THE COUNTY OF INGHAM, MICHIGAN, BY THE INGHAM COUNTY BOARD
OF COMMISSIONERS, DO ORDAIN:

PURPOSE

Deeming it advisable and in the interest of promoting the public welfare by expanding opportunities for Ingham County residents to observe and experience art in public places, thereby creating more visibly pleasing and humane environments and, further, in the belief that individual and performing artists and craft persons make people more aware of themselves and their communities, the County of Ingham, Michigan, does hereby adopt this Ordinance.

Article One. Ingham County Arts Commission - Establishment. There is hereby established an Arts Commission to be known as the "Ingham County Arts Commission" (hereinafter referred to as "Arts Commission").

Article Two. Arts Commission Membership. The Arts Commission shall consist of eleven (11) persons. One person shall be a duly elected member of the Ingham County Board of Commissioners, and one member shall be appointed from the Ingham County Historical Commission. The other nine (9) members shall be residents of the County of Ingham. All members shall be appointed by the Chairperson of the Board of Commissioners and approved by the Board of Commissioners. For the initial appointments, five (5) members shall serve for one (1) year and six (6) of the members appointed shall serve for two (2) year terms. All appointments thereafter shall be for two (2) year terms. It shall be within the sole discretion of the Chairperson which members shall be appointed for the initial one (1) year term, except that the Chairperson shall appoint the initial Commissioner Member and Historical Commission Member for a one (1) year term. Vacancies on the Art Commission shall be filled in the same manner as described above.

Article Three. Arts Commission Officers. The Arts Commission, by majority vote of the total Commission, shall elect a Chairperson, Vice-Chairperson and such other officers as it may deem necessary. Such persons shall occupy their respective offices for a period of one (1) year. The Arts Commission shall meet at least once monthly. All meetings shall be in compliance with the Open Meetings Act (1976 PA 267; MCLA 15.261, et seq., as amended).

Article Four. Arts Commission Rules. The Arts Commission shall adopt rules for the transaction of business and shall keep a written record of its proceedings which shall be open to the public. Said records shall comply with the Open Meetings Act.

Article Five. Arts Commission Budget. The Arts Commission shall each year submit to the Ingham County Board of Commissioners, for consideration, a proposed Arts Commission budget for the following year in the manner prescribed by the Ingham County Board of Commissioners Rules, Regulations and procedures. The Arts Commission shall establish

a fund into which shall be placed the allocation as the Board of Commissioners may annually appropriate, together with any miscellaneous revenues, grants, gifts or bequests for purposes of furthering the arts. The Controller and County Treasurer shall cooperate with the Arts Commission in establishing said fund. The Arts Commission may disburse money from this fund for the purposes as permitted hereunder and all balances remaining in the fund at the end of each year shall be carried over to the succeeding year. However, notwithstanding the above, disbursements by the Arts Commission shall have prior approval of the Ingham County Board of Commissioners unless specifically authorized in budget line items appropriated by the Board of Commissioners. All disbursements shall be for a public purpose.

Article Six. Arts Commission Programs. The Arts Commission may, alone or in cooperation with any private, civic or public entity or with the State of Michigan or any political subdivision thereof, or with the Federal Government, initiate, sponsor and/or conduct programs which further public awareness of and interest in the visual and/or performing arts.

Article Seven. County Construction Projects - Definition. "County construction projects" shall mean any project paid for wholly or in part by Ingham County to construct or remodel any building, commemorative structure, park, or any portion thereof, within the jurisdiction of the Ingham County Board of Commissioners.

Article Eight. Appropriations for County Construction Projects. A percentage of capital expenditures for County construction projects shall be set aside for the inclusion of art as provided for in this Article and Article Nine, unless prohibited by the funding source, State statute, or bonding requirements, provided that the Board of Commissioners determines the County construction project is appropriate for the display of art.

(a) All future authorizations and/or appropriations for County construction projects estimated to be more than \$10,000.00, and which are determined by the Board of Commissioners to be appropriate for the display of art, and for which the design has not been completed prior to the effective date of this Ordinance, shall include an amount up to, but not to exceed 1% of such authorization and/or appropriation for the inclusion of art as determined by the Board of Commissioners. Said amount shall be for the selection, acquisition, display and/or maintenance of works of art which shall be an integral part of the County construction project, or placed in, on or about the project, and may also be used for providing facilities for the performing arts.

(b) From the funds authorized and/or appropriated pursuant to this Article and upon the advice of the Arts Commission, the County Board of Commissioners shall approve the amount of monies appropriated for art on each County construction project and payment therefor shall be disbursed.

(c) Monies authorized and/or appropriated as part of any County construction project, but not required in total or in part for said project, may be accumulated in the fund as established in Article Five or expended for art in other County construction projects as determined by the County Board of Commissioners, unless prohibited by the funding source, state statute or bonding requirements.

Article Nine. Arts Commission Responsibilities for County Construction Projects. In addition to other responsibilities as defined herein, the Arts Commission shall be responsible for advising the County Board of Commissioners on the selection and commissioning of artists, reviewing designs and placement for art for County construction projects, as well as existing County buildings, and the necessary maintenance for works of art funded by this Ordinance.

Article Ten. Arts Commission Liaison with Board of Commissioners. The Physical Resources Committee of the County Board of Commissioners, or its replacement, shall act as liaison with the Arts Commission.

Article Eleven. Articles/Provisions are Severable. If any provision of this Ordinance is held invalid by a court of competent jurisdiction, then, in such event, such invalidity shall not affect any other provision of this Ordinance or their operation thereof unless dependent for their affect or operation upon the provision held invalid, and only to the extent of such dependency, and for such purpose, the provisions of this Ordinance are severable.

Article Twelve. Effective Date. This Ordinance shall take effect sixty (60) days after its adoption if notice of its adoption is published at least once in a newspaper of general circulation in the County of Ingham, and if it is approved by the Governor.

ADOPTED: May 23, 1978