

Town of Clayton Public Art Advisory Board By-laws

Mission

The mission of the Public Art Advisory Board of the Town of Clayton is to

- Enhance public spaces and facilities through incorporation of art and artful design,
- Advise on the acquisition and collection of public artworks owned by the Town, and
- Annually report to the Town Council on all matters related to public art

Public art is defined as any form and medium of visual art in public space.

Public art shall exclude architecture, landscapes and site design unless the Town of Clayton chooses to incorporate an artist or art concepts into the building or open space design. Public art in Clayton may be permanent or temporary, and may be the result of collaboration among artists and designers or artist-initiated projects.

Public Art Advisory Board Roles and Responsibilities

1. **Public Art Advisory Board:** Defined by the Public Art Advisory Board resolution. The Board will advise on the acquisition, loan, placement, maintenance, display and disposal of public art and artworks contracted for, placed on, erected on property of the Town of Clayton, or become the property of the Town through acquisition or otherwise or in the custody of

the Town by loan or otherwise. No public art or artworks shall be acquired, loaned, or installed nor shall existing public art or artworks be de-accessioned or removed from public places without a review by the Advisory Board.

2. **Appointments:** Members of the Public Art Advisory Board shall be appointed by the Clayton Town Council. Membership shall consist of nine (9) regular members. The Town Manager, Deputy Town Manager, Cultural Arts/Clayton Center Executive Director, the Mayor and/or member of the Town Council shall serve as ex-officio members of the Board with full rights of participation except authority to vote on matters before the board.
3. **Terms:** Terms for all members shall be for three (3) years and terms may be renewed one (1) time consecutively. No person shall serve more than two (2) consecutive full terms; however, appointments to unexpired terms shall not count towards this limitation and persons may be reappointed to the Board following two completed terms once a single year has elapsed since last service on the Board. Initially three members shall be appointed to a one-year term, three members shall be appointed to a two-year term, and three members shall be appointed to a three-year term. All appointments thereafter shall be for three years. Terms will run on a calendar year.

4. Election of Officers: Officers terms will run on a calendar year, with election of Officers taking place each year at the Board's November meeting or at another time when necessitated by vacancy. The following Officers shall be appointed upon majority vote of the membership present at an official meeting: Chair and Secretary. Members should state their desire to run for office at the October meeting. Officers may succeed themselves.

5. Duties of Officers:

1) Chair: The Chair shall preside at meetings and shall retain full voting rights. The Chair shall make appointments to special and standing committees of the Board. The Chair may call a special meeting with a minimum of 48 hours notice to the membership in accordance with NCGS (North Carolina General Statute) 143.318.12. The Chair shall serve as ex-officio member of all standing committees. The Chair, in conjunction with ex-officio Town officials, shall serve as exclusive spokespersons on behalf of the Board for all contact with the media.

2) Secretary: The Secretary shall take the official minutes. Draft minutes will be provided to Board members within two weeks after regularly scheduled meetings.

6. **Qualifications of Members:** Members may be individuals who have special knowledge, interest or experience in the arts, key business leaders, design professionals, educators and civic and community activists.

7. **Meetings and Reporting:** The Public Art Advisory Board will meet monthly according to an adopted calendar. In the event that no business is pending and no agenda developed a meeting may be cancelled except that no more than 2 consecutive meetings may be cancelled. Special meetings may be called by the chair or upon written request from the majority of the body in accordance with applicable rules and guidelines.

The Board shall make periodic reports to the Council on its activities, goals, and accomplishments at least once per calendar year.

All members are expected to attend regular and special meetings. Failure to attend three consecutive meetings without prior notice of absence may result in removal from the Board and shall require no action beyond notification to the Town Council of the need for appointment to an unexpired term.

Business of the Board shall only take place in the course of an official meeting. An official meeting shall only take place in the presence of a quorum at regular scheduled or properly called special meetings.

- 8. Resignation and Removal: Resignation of Board members must be provided in writing. Board members may be removed by unanimous vote of remaining members or by Council action.**

- 9. Quorum: A quorum is defined as 5 or more regular members present at one time.**

- 10. Changes to By-laws: Changes to the by-laws shall be made by a majority vote of the membership following review and consent of the Clayton Town Council.**

- 11. Establishment of Special Committees: The Chair may, as needed, establish standing or special committees without necessity of revision to or amendment of the by-laws.**

- 12. Conflicts of Interest: Any conduct that creates an appearance of impropriety or may otherwise impair a Board member's judgment in the selection of a project site, finalist, or artist is prohibited. The Chair and/or Town Council may ask a member to relinquish his/her position should a member engage in such conduct.**

In addition, anyone in a position to receive financial gain from the selection of artists will be ineligible to serve on a selection panel.

Panelists must declare any conflict of interest and excuse themselves from discussion of said project if a conflict of interest arises.

Members will declare any conflicts of interest at any point during the public art selection process and refrain from discussing or voting on any component of the process in which they may have a conflict of interest.

13. **Other topics: The Town of Clayton Public Art Advisory Board is established by and serves as an advisory board to the Town of Clayton. The Board shall continue to serve and exist unless and until official action is taken by the Town Council to abolish or modify the Board. No action other than majority vote of the Clayton Town Council shall have the effect of abolishing or otherwise ending the purposes, duties, responsibilities, or authorities of the Board.**

Duly adopted this 3rd day of September 2013, while in regular session.

ATTEST:

Sherry L. Scoggins, MMC
Town Clerk

Jody L. McLeod
Mayor

**TOWN OF CLAYTON
RESOLUTION ESTABLISHING A PUBLIC ART ADVISORY BOARD**

WHEREAS, it is in the best interest of the Town of Clayton and its citizens to establish a collection of artistic works for the benefit of the community and the betterment of public spaces and facilities; and,

WHEREAS, a viable and preferred means of making decisions about acquisition, display, and collection of art is to involve qualified, knowledgeable, and interested citizens as a Board for the in evaluation and recommendations on collection of artistic works; and,

WHEREAS, the purpose of the Board is to establish a procedure through which the Town of Clayton can acquire and accept artwork on loan or as a gift and make recommendations to the Town Council of the Town of Clayton toward the creation of a Public Art Program; and,

WHEREAS, The Public Art Advisory Board will review and make recommendations to Council for all acquisitions and exhibition of all artwork loaned to, donated to, purchased by, or commissioned by the Town of Clayton, with the exception of rotating monthly exhibits inside the Clayton Center lobby/exhibit area as administered by Clayton Visual Arts; and,

WHEREAS, the Public Art Advisory Board will establish guidelines for the acquisition, maintenance and removal or relocation of all public art as necessary within the Town of Clayton; and,

WHEREAS, Public Art shall be defined as any and all forms of visual art conceived in any medium placed in areas accessible or visible to the public and will not include any architectural or landscape design, except when commissioned and designed by an artist.

NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of Clayton hereby establishes a Public Art Advisory Board.

1. The Public Art Advisory Board shall be appointed by the Town of Clayton and be comprised of five (5) individuals who have special knowledge, interest or experience in the arts, key business leaders, design professionals, educators, civic and community groups and property owners.

2. That the Public Art Advisory Board shall develop by-laws for operation and policies for the performance of the duties assigned by the Town Council, herein above.
3. That the Public Art Advisory Board shall make periodic reports to the Council on its activities, goals, and accomplishments with such reports happening at least once per calendar year.

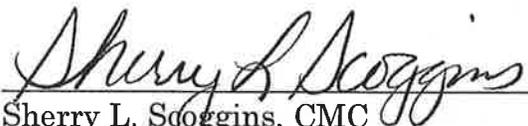
This resolution shall be effective immediately.

Duly adopted this 4th day of February 2008, while in regular session.



Jody L. McLeod
Mayor

Attest:



Sherry L. Scoggins, CMC
Town Clerk