Culture & Heritage
Board of Commissioners Meeting
August 27, 2012
6:00 pm
Museum of York County

Approved 09-24-12

Person Presiding: Chair, David Plexico
Members Present: David Duncan, Ragan Craig, Jonell Hagner and Hester Benitez
Attempted Call-in: Rick Lee
Absent: Dennis Getter
Ex-Officio Present: Pat Veasey and Bob McCann
Staff Present: Carey Tilley and Barbara Ardrey
Other: Michael Kendree, County Attorney; Beth Latham, County Treasurer; and
Mark Kettlewell, County Engineer

The meeting was called to order by David Plexico, CHC Chair, at 6:00 pm.

Motion was made by David Plexico and seconded by David Duncan to approve the minutes of the 7/23/12 CHC meeting as presented. Motion passed unanimously.

Presentation by Mark Kettlewell on MYCO Roof Replacement Options

- Three Options
  - Repair of existing roof – not a viable option
    - Failed repairs, leak history, ponding of water
  - Replacing existing roof, keeping flat roof system (Estimated Cost, $387,500)
  - Replacing existing roof with a pitched roof
    - 24-Guage Standing Seam (4:12 Pitched) Metal Roof (Estimated Cost, $1,206,500)
    - Asphalt Shingle (4:12 Pitched) Metal Roof (Estimated Cost, $962,500)

Benefits and drawbacks to each option were discussed as set forth in Mark Kettlewell’s report dated August 24, 2012. Additional damage due to mold and mildew growth probable – no survey has been done yet; $2,500 to cover survey cost included in estimated figures but cost of abatement is to be determined; unknowns do exist that could also increase cost; pitched roof offers more aesthetic appeal; flat roof more cost effective.

- Recommendation by County Engineering
  - Replacement of the flat roof at an estimated overall cost of $387,500.

Tilley noted that while a pitched roof would be more aesthetically appealing, it would probably not do much to increase traffic. Landscaping and other aesthetic improvements could be much more cost effective.
New technology in place with flat roof system since current roof installed.
Various ideas discussed to improve aesthetics.
Kettlewell noted that there is asbestos in the existing roof that will need to be removed and that has been included in this cost estimate for the demolition.

Beth Latham was asked to discuss funding for roof. She noted that there is $230,550 in the budget right now that has been appropriated for the Brick House and the Planetarium and since the budget was adopted, other funds have been received for that so the $230,000 can be used for the MYCO roof; currently there is $140,000 in unappropriated museum held fund balance, so recommendation to Tilley was to appropriate an additional $100,000 from the museum held fund balance and then ask County Council to appropriate the balance of the funding, approximately $87,000, from the county held museum fund balance, which would require a budget amendment, but that money could be used for design work and whatever abatement costs, etc.

Tilley asked for action to be taken. Staff recommendation is to replace flat roof and keep the flat roof system.
Craig questioned timing. Kettlewell advised that it would probably be spring before work could begin.

David Plexico moved to replace the flat roof at MYCO (keeping flat roof system); David Duncan seconded.

Discussion followed on where this would put us in the process; Kettlewell suggested waiting on results of mold survey and reporting back to Commission. If we need to go through a budget amendment, it would be helpful to have the estimated cost up front. Craig would like mold and asbestos reports. Once surveys are complete, more accurate numbers will be available. Tilley inquired as to cost of surveys. Kettlewell noted that would be dependent on number of samples pulled, etc. Kettlewell suggested doing mold survey now to determine what the cost estimate of abatement would be and then appropriate that amount of money plus a little contingency in case there is additional mold formation over the winter that needs abatement in the spring. $2,500 survey costs can be pulled out of $230,000 that was set aside.

David Plexico amended his motion to approve replacement of the flat roof at MYCO contingent upon results of mold and asbestos surveys; Ragin Craig seconded motion. Motion passed unanimously.

Tilley asked Latham if action is needed now on where funding is coming from or should we wait for results of surveys. Latham inquired of County Attorney if it needs to be noted that funds originally appropriated for the two other projects are being used for this project. Per Attorney Kendree, it would be appropriate to redirect the expenditure just to have that on the record because right now it is appropriated for a different use. Latham made that motion recommendation in an earlier memo to Tilley who read as follows:

_To approve funding which was originally appropriated for the Brick House and Planetarium in the amount of $230,550 to be used for MYCO roof replacement as other funding sources have been received for the Brick House and Planetarium._

Tilley asked that the above recommendation be presented in the form of a motion.

David Duncan moved to approve as presented; Ragin Craig seconded; motion passed unanimously.

Wait on other appropriations for results of surveys.
Review of Financial Statements by Beth Latham

- Unaudited numbers for last fiscal year
  - Museums collected 95% of budgeted amount of revenues
  - Under Expenditures – Target Percent, 5% needed to collect on revenues
  - Under budget by 8%
  - The $107,380.31 is the amount of revenue exceeding expenditures -- number could change after auditors finish field work but Latham does not anticipate significant change
  - Some departments show negative budgets remaining -- we purposely have not done all the final budget transfers yet in order to make sure everything was paid first; should be cleared by this week
  - Biggest significant variance in the budget is under Support Services - budget remaining is minus $99,629.76; almost $79,000 was paid out to former employees for accrued vacation time - still under budget; and then $38,000 in unemployment paid and the budget for that was $25,000

- July Statement – first month of new fiscal year
  - Target percentage of collections to revenues is 8% and you’re at 7 right now; that will change when we start spending money on the Brick House; insurance money will get booked as revenue -- in reserve fund for now
  - Everything looks good so far
  - On back page under Annual Budget, the minus $232,014.00 revenue, is the amount of fund balance that you have appropriated, not money that will come in but money that will be used

Staff Reports and Information

Report from Executive Director

- Using October as a rallying point for staff to showcase new improvements, programs, etc.
  - New awnings installed and landscaping to be completed in front at MYCO
  - Piloting new program on October 20 at HB – *Spirits and Stories: Historic Brattonsville at Twilight*
    - The big event will be the Grand Opening of the new Settlemyer Planetarium on October 13, with accompanying new exhibit in the Springs Gallery – *Our World, Our Sky*, and the unveiling of the new hallway exhibition outside the planetarium

- July numbers
  - Overall visitation at HB, MYCO and MSCM down slightly (6%), mainly due to Huck’s Defeat and July Fourth special events
  - Five-year trend at HB shows slight drop in regular admission for July; less of a drop in 2012
    - Staff working to identify cause in order to reverse trend
    - Possible correlation with reduction of staff over this time period
  - MSCM also showing slight reduction in July from first year
  - MYCO July attendance increased 49% over five-year time period
Culture & Heritage  
Board of Commissioners Called Meeting  
September 12, 2012  
5:00 pm  
Museum of York County

Approved: 10-22-12

Person Presiding: Chair, David Plexico  
Members Present: Ragin Craig, Jonell Hagner, Dennis Getter  
Called In: Rick Lee, Hester Benitez  
Absent: David Duncan  
Ex-Officio Called In: Pat Veasey  
Ex-Officio Absent: Bob McCann  
Staff Present: Carey Tilley, Barbara Ardrey  
Other: County Attorney Michael Kendree

The meeting was called to order by David Plexico, CHC Chair, at 5:00 PM.

Motion was made by Ragin Craig and seconded by Dennis Getter to enter into Executive Session for personnel matters. No discussion; motion passed unanimously.

Executive Session
- Salary for Planetarium Manager Position

Reconvened to Open Session

Motion was made by Jonell Hagner and seconded by Dennis Getter to authorize the Executive Director to exceed the minimum salary amount up to 11% in any offer to fill the Planetarium Manager position; and, upon approval of this motion, have the Executive Director inform the York County Manager and the York County Human Resources Director in writing of this requested and approved salary increase; motion passed unanimously.

Motion was made by Ragin Craig and seconded by Dennis Getter to go back into executive session for personnel matters.

Executive Session
- Executive Director’s Six-Month Review

Reconvened to Open Session

No action was taken.

The meeting was adjourned at 6:00 PM.

Prepared By: Barbara Ardrey  
Submitted By: Dennis Getter, CHC Secretary/Treasurer
Culture & Heritage
Board of Commissioners Meeting
September 24, 2012
6:00 PM
Museum of York County

Approved: 10-22-12

Person Presiding: Chair, David Plexico
Members Present: Ragin Craig, Jonell Hagner, Rick Lee and Hester Benitez
Called In: Dennis Getter
Members Absent: David Duncan
Ex-Officio Absent: Pat Veasey and Bob McCann
Staff Present: Carey Tilley and Barbara Ardrey
Other: County Attorney, Michael Kendree, and Member of Public

The meeting was called to order by David Plexico, CHC Chair, at 6:00PM. Members immediately adjourned to the planetarium for a short demo of the new programming. Members reconvened at 6:20PM and the meeting was again called to order by David Plexico.

Plexico asked for a motion to approve the minutes of the 8/27/12 and 9/12/12 meetings. Craig noted there were some things missing from the 9/12 minutes. Plexico asked for approval of the 8/27 minutes. (Dennis Getter connected on the conference call line and David Plexico brought him up to date on the fact that he had called for a motion to approve the minutes of 8/27 and 9/12 and that Craig noted that the minutes of 9/12 were incomplete.)

Craig said that there was no mention of his formal protest in the 9/12 minutes that the Commissioners did not follow Roberts Rules of Order #37 when they voted on the Keepers of the Culture issue on 8/27 because they were not in the majority, which is what he talked about at the meeting on the 12th – and that the action should be voided because they did not have a majority present; he further stated that they (the Commissioners) had a January 3, 2012, unanimous vote that all Keepers of the Culture nominations would come before this Commission; that was not done and that was his objection to the whole thing. Craig brought in Roberts Rules of Order to show that the Commissioners did not overturn the action in the proper order. Craig wants the minutes to reflect that.

Discussion followed questioning when the protest was made – whether it was during the Executive Session or not. Getter interjected that his recollection was that that discussion was in Executive Session and no action was taken on it. Craig pointed out that it was not a suitable item for Executive Session. Rick Lee suggested that we ask for review of the tape and if the tape reflects it then it should be added to the minutes and if not, it must have been some other event. The tape is the guideline for the minutes. Kendree noted that the minutes (of 9/12/12) cannot be approved if there is an outstanding issue so they can be deferred until that is finalized.

Plexico called for a motion to approve the 8/27 minutes. Jonell Hagner so moved and David Plexico seconded. No discussion. The Motion passed unanimously.
David Plexico moved to defer to the next meeting approval of the minutes of the 9/12 meeting after review of the tape. Ragin Craig seconded. No discussion. The Motion passed unanimously.

**Staff Reports and Information**

Report from Executive Director

Tilley reviewed his written report with the Commission updating attendance and membership numbers through August; outlining recent personnel changes; and showing expense comparison since fiscal year ending 2008 by breaking out capital outlay from operating expenses. Discussion followed regarding the fact that our operating expenses are lower for 2012, resulting in Tilley being asked to post the chart as illustrated in his report on our website. Tilley further discussed organizational highlights of the past six months as noted in his written report. This discussion included some of the challenges and accomplishments at all four sites. He ended by talking about the organization’s future direction in continuing to follow a simple strategy:

1. Promote a positive image in the community through quality experiences.
2. Establish major thresholds that excite the community and serve as clear signs of success. In addition to the planetarium, major projects currently underway include the McElvey Annex, the 1840’s Brick House preservation, the McElvey Roof restoration and renovations, and the Huck’s Defeat Battlefield discovery, interpretation, and National Register nomination. The Brattonsville interpretative plan will serve to identify additional key thresholds over the next few years.
3. Execute a series of smaller visible victories like aesthetic improvements, numerical growth, significant gifts and grants, and quality events and programs.
4. Create clear strategic goals through systematic planning that are supported and understood throughout the organization.
5. Attract quality workers and retain quality staff.
6. Streamline programs according to mission and organization strengths to focus more of our resources on what we do best.

Tilley called for any questions. There was some discussion regarding the possibility of using county resources to assist in different areas.

Tilley gave a short update on the status of the MYCO roof project, which was not included in his report. He reported that the numbers are in on the cost of doing the study, -- $6,150-- using the group already approved by the County. Tilley inquired as to whether or not that requires action/approval by the Commission. The question was put to Attorney Kendrick who responded that an amount below the $15,000 threshold typically requires approval by the County Manager or by analogy the Commission, but because the county has an ongoing contract with this company, Mark Kettlewell’s position is that he can just order the work and by virtue of acknowledging the Commission, unless there is an issue, that’s how Mark is prepared to proceed. Tilley noted that the company is called ECS Carolina, Inc., and the cost is $6,150. Craig asked if that included asbestos and mold and Tilley confirmed that it did.

**Committee Reports**

- **Finance Committee** did not meet. No report
• Governance Committee did not meet but Chair, Jonell Hagner, noted that in Executive Session there will be a discussion on the six-month job review of Carey Tilley.

Old Business

• Legitimacy of Vote on Keepers of the Culture
  • Craig noted that going by the 8/27/12 minutes, it (the motion of 1/3/12) was not rescinded, so the Keepers of the Culture event cannot move forward, and if rescinded, it would have to be by a majority of the vote under Roberts Rules of Order, which is York County's policy, in order to go forward with the event. Craig brought question to Attorney Kendree on what is needed to overturn. Craig protesting until the rules are followed.
  • Attorney Kendree advised that he would need to look at the minutes to judge that but it's a matter of characterization of what vote was taken.
  • Craig interpreted the January 3rd minutes which he said (the Commission) specifically said this event will not move forward without approval of nominees and it was a unanimous vote. If you’re saying that at the 8/27/12 meeting the motion was rescinded, then the January 3rd decision rules over what happened at the last meeting. Craig stated that he was totally against the event. He is protesting that Roberts Rules were not followed.
  • Attorney Kendree: Characterizing it in that fashion, then the question becomes, absent a rescission which I don’t recall, it was simply ratification of the conduct of the director who was new on board and approved the nominations as presented. So the question was to the body, does that directive that would break the rule that was implemented previously, how is it going to be cured - that it wasn’t followed and the motion was made, as I recall, to approve the nominations as presented and to move forward in the best interest of the museums. I don't have a recollection that that rule was rescinded.
  • Craig: Well it was but that was part of the argument was whether or not it was rescinded but since it wasn't rescinded, and it was a majority vote, then under Robert's Rules it takes a majority vote to proceed with the nominations to completely reverse that action, otherwise you nullify the majority vote of the members on the Commission taken prior. So we still haven't done it right.
  • Kendree: Well, the question becomes what's the effect of the vote to authorize moving forward with the nominees, so if you want an opinion, I'll try to do that in writing but my recollection is the request was made of the Director to move forward with the nominees as presented because the recipients were already notified of their standing to receive the award and that it was in the organization's best interest to move forward and that was voted upon and approved and that was the direction this body was going to go. I also recall that the direction in the future would be followed, that Carey being aware of that rule, would get the nominees and present them to the Commission for approval so it was an act of omission rather than direct disregard of the direction so I thought the reconciliation was to cure that with the motion that was made to accept them and move forward.
  • Craig: This is what I would like to hear back from you in order to clean this up once and for all, does that require a majority vote? The vote that was taken only passed 3 to 2, it barely passed. Doesn’t that vote have to be a majority opinion to authorize them to move forward on the Culture & Heritage event? That's what I'm looking for a ruling on moving forward.
  • Kendree: And majorities typically are the members present, not a super majority. I'm just pointing out it's how you evaluate your question as presented and what actions are actively
occurring. If it was simply to ratify and move forward then the question becomes is that in essence countering that direction or just curing an omission. I will be happy to answer that.

Craig: It is countering a majority vote in my opinion. That's what I want cleared up.

**New Business**

- Election of New Officers
  - Plexico called for any comments.
  - Tilley asked Kendree about process
  - Kendree briefly reviewed process noting there could be a predetermined slate that is offered or typically most commissions of the county take nominations from the floor and vote initially for the chairman and if the chairman is elected to a second term he continues to preside; if another individual is nominated as chairman they take over and start conducting the meeting; all officers are elected subsequent to the chairman.

Craig made a Motion and Hagner seconded to nominate David Plexico as chairman for a second term. Plexico noted there was a motion and second and called for any discussion/other nominations.

Discussion followed on procedure and terms. It was noted that only the chairman needed to be voted on at the current time.

Getter called the question.

All in favor of the Motion on the floor – Dennis Plexico, Ragin Craig, Jonell Hagner and Dennis Getter; those opposed, Hester Benitez and Rick Lee; the Motion passed 4 to 2.

- Lowry Theater Naming
  - Tilley: Shared positive news that may require action by this Commission because it involves permanence. A couple of years back the Lowry family made a commitment to pay $250,000 to renovate the McCelvey Theater. The work has been done and the family (represented by Fred Faircloth) has been paying annually on the pledge. The last installment was due 2013. They had been giving through the Culture & Heritage Foundation but the gift is supposed to come to us and that’s what Mr. Faircloth indicated he would like to see happen. Right now the Foundation still holds $25 or $26,000 from previously plus the final installment from the Lowry Family. Mr. Faircloth wants that money to come to us but he does want affirmation of what we had previously agreed to that was never put in writing and that’s with the naming of the Lowry Family Theater. I would like this Commission to endorse that they will abide by the terms asked for by the family.

  - Tilley read the terms:
    1) Signage reading “Lowry Family Theater” will be permanently kept in a prominent location in the lobby area to be seen by all who enter the facility.
    2) The Theater will be referred to as the “Lowry Family Theater” or the “Lowry Family Theater at the McCelvey Center” in all marketing and collateral materials for events that occur within the theater.
    3) A portrait of the late Ann Murphey Lowry will be on display permanently in the lobby area of the McCelvey Center. Maintenance, repairs, and/or replacement of the portrait are the responsibility of the donor.
We are really just affirming an earlier decision that’s never been specified in this way. I think we are following these terms already. This is fairly easy to do but since it is permanent, I want it to carry the weight of this Commission.

Lee made a Motion to approve and Hagner seconded. No discussion. All voted in favor. The Motion passed unanimously.

Lee asked to bring up one other item regarding the Ordinance that deals with the Commission. He recommended that the Commission do a review of the Ordinance to see if there is some tweaking necessary for the Director to have the operational authority needed to run his business and deal with personnel issues and other such things; and secondly, he noted it would be prudent to propose to the County that the terms of office for the Commissioners should be four years and should be staggered in order to insure continuity of policy and to make sure that every two years doesn’t result in a referendum on the Museum – where the County Council changes and the membership changes. Lee noted much of the issues that caused the Council to do what they did have been worked out and there is a need to look at the Museum from a longer term prospective and make sure history and corporate knowledge on the board is retained and it doesn’t all get swept out in the storm of turnover.

After discussion, the County Attorney was asked to look into the matter and come back to the Commission with some recommended changes in the Ordinance that would allow those two things to be accomplished and then the Commission would have to assess their desires in a policy form to go before Council.

Kendree agreed to review and come back to Commission with recommendations.

Discussion followed regarding current interpretation as to parallel authority of County Manager and Commission and recent situation that occurred and the process that had to be followed under the Ordinance. Need to reconcile process recognized. Kendree will look at this as part of Lee’s request.

Plexico moved to go into Executive Session for personnel matter, for six-month review and for receipt of legal advice. Craig seconded. No discussion. Motion passed unanimously. (Tilley can recues himself from personnel review.)

Executive Session

Reconvene to Open Session

Plexico called meeting back to order.

Hagner made a motion that the Board approve the 3% raise for Carey Tilley, effective first pay period in October; Lee seconded; no discussion; motion passed unanimously.

Motion was made by Craig and seconded by Benitez to adjourn the meeting.

Prepared by: Barbara Ardrey
Submitted by: Dennis Getter, Secretary/Treasurer
Culture & Heritage
Board of Commissioners Meeting
October 22, 2012
6:00 PM
Museum of York County

Approved: 11-26-12

Person Presiding: Chair, David Plexico
Members Present: Ragin Craig, Jonell Hagner, Dennis Getter, Rick Lee, Hester Benitez and
David Duncan
Ex-Officio Absent: Pat Veasey and Bob McCann
Staff Present: Carey Tilley and Barbara Ardrey
Other: County Attorney Michael Kendree, Bobby Walker, Joe Cox, member of public

The meeting was called to order by David Plexico, CHC Chair, at 6:00 PM.

Plexico made a motion to approve the minutes of the 9-12-12 and 9-24-12 meetings and Hagner
seconded.
Discussion followed, wherein Craig disagreed with the assertion by Getter that his formal protest
regarding the vote on Keepers of the Culture event was not on the 9/12 tape and asked to leave his
protest in place. Also, Craig had asked a question, which required legal advice, at the 9/24 meeting and
requested deferring approval of the 9/24 minutes until obtaining that legal advice from Attorney
Kendree.
Plexico went ahead and amended the motion on the floor to approve the 9-12-12 minutes and Hagner
seconded; the motion passed five to one with Plexico, Hagner, Getter, Lee and Benitez voting in favor,
Craig opposed, and Duncan abstaining.

Attorney Kendree was asked whether he would be able to address the issue of whether or not Roberts
Rule 37 applied to the vote on Keepers of the Culture and he said he would do so in Executive Session.
Craig again asked to defer the vote on the 9-24-12 meeting until after receiving legal advice; Lee
questioned the need to defer if Craig’s inquiry was going to be addressed and Craig agreed they should
go forward with the vote.
Plexico stated there was a motion to approve the 9-24-12 minutes and asked for a second; Craig
seconded; no discussion; motion passed unanimously, with Duncan abstaining.

Presentation on Rainey House by Bobby Walker

Walker gave the history of the Rainey house and discussed the efforts being made to save the home.
The Stringer-Rainey Foundation gave $65,000 to purchase the house and York County Forever has
earmarked $500,000 toward the project. Walker is asking the Culture and Heritage Commission to
endorse the project and soliciting assistance from the CHM staff, who have more expertise in this area,
to narrow the scope of the project for presentation to the County Council and then to the Probate
Judge. Discussion ensued with Lee noting that this is a collections piece and questions need to be
answered by the Collections Committee and the Executive Director needs to be involved in the process.
Lee made a motion to accept the report presented and put it to the Collections Committee and Director to review the information, pontificate on what they think should be done and deliver their report back to the Commission.

Discussion followed wherein Getter asked for specific documentation for review (deed restrictions; proof of commitments; council meeting minutes to see motions made; feasibility studies; business plan; architectural documentation); Getter added that the Collections Committee can review and fine tune but the Commission needs to make sure that it fits into the strategic plan; Tilley noted as clarification that a Collections Committee has not yet been formally established.

Lee amended his motion to ask the Director to form an ad hoc committee to study this recommended addition to the CHM collection; Plexico seconded; the motion passed unanimously.

Staff Reports and Information

Report from Executive Director

- Tilley reported on the reopening of the Settlemyre Planetarium with strong attendance at the membership event on October 12 and the public opening on October 13, as well as the preview for area educators on October 16. He also reported on the successful premiere of a new event at Brattonsville on October 20 called Spirits and Stories: Brattonsville by Twilight, with an attendance of approximately 280 visitors for the day.

- Tilley reviewed the status of the capital projects currently underway at the different sites and reported on the fact that an internal Interpretive Planning Team has been established to begin work on the new Historic Brattonsville Interpretive Plan.

- Tilley then updated the Commission on the health status of our Historic Brattonsville Site Manager, Kevin Lynch.

Committee Reports

- Finance Committee – no report
  - Getter reported on latest status on audit from Finance Director Beth Latham
  - Finance Committee will meet next month – Getter would like to review cost-saving line items on what has been accomplished with consolidation of services, etc.
    - Tilley was asked to gather information

- Governance Committee – no report

Old Business

No old business to discuss.

New Business

- Approval of Grant from SC Children’s Museums Early Learning Collaborative
  - Tilley reported that a $20,000 grant has been offered to the Culture & Heritage Museums by the South Carolina Children’s Museums Early Learning Collaborative funded by Boeing. This
is a chance for CHM to collaborate with other museums and the money will go toward funding existing programs and will even include financial support for salaries and operations, which is difficult to obtain funding for, as well as implementing new programming. Since the Board Chair’s signature is required on the form outlining the project, this is being brought before the Commission for approval.

Lee made a motion to approve the project as presented and Getter seconded the motion; all voted in favor and the motion passed unanimously.

- Discussion of river property held by CHF for Museum use
  - Getter noted that the second and third items under New Business were inclusive.
  - Discussion followed on the status of the river property in light of a letter that was discovered recently from Van Shields to Hugh McColl requesting that the land be given to the Culture and Heritage Foundation, Inc., and because the Foundation is a support entity of the Culture and Heritage Commission of York County, that said gift would eventually become the property of York County as specified by County Ordinance and the Commission would be responsible for utilizing that within the areas of the Commission’s responsibilities.

Getter made the following motion: I move that this motion be a direct request to the York County Council that they take immediate action to obtain the title to the property given by Jane S. McColl to York County via the Culture and Heritage Foundation, Inc., per the letter by Van Shields dated July 15, 1998, to Hugh McColl. Craig seconded the motion. Plexico called for discussion.

Lee suggested a more subtle approach by having Director Tilley talk with members of the Foundation to see where they stand on the matter and then have him report back to the Commission. The Commission can then get legal counsel in Executive Session on the impact or potential impact of this and then discuss the nuances and details before moving forward.

Getter stated that the Commission is only the beneficiary of the gift – the owner will be York County. The Commission has no legal standing to talk to the Foundation about the property because according to the letter the ownership is supposed to reside with York County.

Lee stated that he still felt it would be better for the Commission to do some of the groundwork quietly by first discussing with the Foundation where they stand.

Tilley agreed with Lee that before turning the letter over to the County, he would like the opportunity to talk to members of the Foundation and perhaps go jointly to the County in a spirit of cooperation.

Getter noted that what the letter is saying is that the land is only ours to use after the County has title and the responsibility is on the County to take whatever action it wants to take.

Tilley suggested going into Executive Session for legal advice before voting because there may be some legal issues that would clarify how to vote.

Tilley’s suggestion did not receive support and the vote moved forward.

Vote was called on the motion with Plexico, Duncan, Craig, Getter and Hagner voting in favor and Lee and Benitez opposed; motion passed five to two.

Plexico stated that the meeting would now go into Executive Session for receipt of legal advice.

**Executive Session**

Legal advice
Open Session

Plexico reported that no action was taken in Executive Session.

Plexico moved that the meeting be adjourned; Getter seconded; the motion passed unanimously.

Prepared by:  Barbara Ardrey
Submitted by:  Dennis Getter, CHC Secretary/Treasurer
Culture & Heritage
Board of Commissioners Meeting
November 26, 2012
6:00 PM
Museum of York County

Approved: 01-28-13

Person Presiding: Chair, David Plexico
Members Present: Ragin Craig, Jonell Hagner, David Duncan, Dennis Getter
Called In: Rick Lee, Hester Benitez
Ex-Officio Present: Pat Veasey
Ex-Officio Absent: Bob McCann
Staff Present: Carey Tilley, Barbara Ardrey
Other: County Attorney, Michael Kendree; Member of Public

The meeting was called to order by David Plexico, CHC Chair, at 6:00PM.

Plexico asked for a motion to approve the minutes of the 10-22-12 meeting; Craig so moved and Duncan seconded; no discussion; a vote was taken and the motion passed unanimously.

Staff Reports and Information
Report from Executive Director

- Overall, finances for first four months of the year are healthy.
- Total number of visitors at all four sites is down 12% since July 1. Primary decline is in the school groups category. It is still too early in the year to make any determination. November should be a good month. Attendance at special events is about even with last year at this point.

  Staff members are watching the numbers each month to identify trends or underlying issues that may need to be addressed.

- Staff continues work on the Historic Brattonsville Interpretative Plan with particular attention to the Huck’s Defeat Battlefield as the first of the improvements to materialize.
  - Tilley reported on the possibility of working with local artist Dan Nance who does very accurate depictions of historic scenes and now has started doing some virtual work using hand-held devices whereby soldiers could be returned to the battlefield. We are in the process of having him submit a bid for design work. Funding is available through the American Battlefield Protection Grant Fund to cover this initial cost.

- Work on the Brick House at Brattonsville continues, with Raymond Engineering finalizing the design work and creating specifications for the work to be done, while Preservation Architect Martin Meek will be preparing drawings documenting existing features of the Brick House.

- Regarding the MYCO roof replacement project, Tilley noted that the Commission had previously approved changing the use of $230,550 already appropriated for capital projects for this purpose but deferred appropriation of the additional funds until the results of the asbestos and mold survey. Tilley reported that he had just received the Fungal Growth and Asbestos Assessment, which showed that no separate abatement project would be required and therefore no additional cost there. Replacement of the MYCO roof is now ready to move forward after approval from the Commission to use an additional $100,000 in museum-held fund balance and Council approval to use $60,150 of the fund balance held for the museum.
Commission approval for the $100,000 was not included as an item on tonight’s agenda but it is time sensitive and Tilley would like to move forward as quickly as possible.

- Attorney Kendree was asked if it would be appropriate to add this to the agenda in order to take action to approve the additional funding by the Commission. Kendree noted that it would not be appropriate since it is an action item.
- Attorney Kendree was then asked if a special meeting could be called for the purpose of approval of funding by the Commission and he responded that that would be appropriate with 24-hours notice.
  - Wednesday, November 28, at 5:00 PM was decided for the special meeting to seek Commission approval.

- The new McElvey Center roof has been completed, except for a small punch list. The demolition work on the Annex has been finished and construction will proceed on December 3, with an anticipated completion date of October 13, 2013.
- The computer upgrade and installation is currently underway.
- The Keepers of the Culture event honoring Alan Miller, Pat Veasey and Joe Zdenek was a great success.
- Information is being gathered on the Rainey House project and placement on the committee is being finalized.
- The Management Team has begun work on the strategic plan recommendations for 2013-14. The staff is moving forward with recommendations for one-year initiatives rather than a five-year plan in order to have a plan in place by January which is needed to drive budgeting.
- Tilley reminded the Commission that the HB Candlelight Tour will be December 8 and 15 and Hagner encouraged the other commissioners to attend and possibly volunteer.

**Committee Reports**

- **Finance Committee**
  - The Finance Committee met at 5:00 pm, prior to the regular commission meeting.
  - Getter reported that staff member Frank Couch presented to the meeting a list of cost-saving items that have been invoked since the new ordinance and the blending of everything, with respect to service contracts, etc., under his control, and the savings last year amounted to $7,800.
  - The larger savings were reported by Richard Campbell on such things as the phones and computers. The phone system alone is an annual savings of about $52,000 a year, and approximately $8,000 in additional savings per year by reducing the cell phones. The computers are being switched to the standard county system and that process is taking place now, so we will be able to identify those savings once completed. There was a $3,000 savings by downgrading or eliminating postage meters. Copiers were under various contracts and must come off those contracts before we go on the county program – expected to take two or three years but should show savings.

- **Governance Committee**
  - No Governance Committee meeting but at Hagner’s request, Tilley commented on the status of the job posting for the vacant Development Director position; posting was extended to explore professional fundraising organizations. Preparator’s job has been filled and a selection has been made for the interpretive position at MYCO.

**No Old Business**
New Business

- Amendment to the Contract with Raymond Engineering for work on the Brick House at Historic Brattonsville
  - There is a need for additional design and spec work on the front portico
  - The total cost is just under $5,000. Tilley requested Commission approval of additional expenditure for this design work.
  - Craig questioned the immediate need. Tilley responded that the porch is threatened right now and needs preservation—not only will it improve the look of the building but the porch in its current condition could pose a threat to the rest of the building.

Getter moved that the Commission authorize the additional expenditure of $5,000 for the Brick House. Craig seconded the motion.
Discussion followed regarding cost of entire project including roof and masonry work. Tilley responded that the preliminary estimate was $270,000; hard estimates will not be known until specs are completed.
A vote was taken and the motion passed unanimously.

- Discussion of Keepers of the Culture event
  - Craig reported positive feedback regarding event
  - Discussed alcohol use at events and County policy prohibiting use of alcohol on county property; Attorney Kendree noted there are limited exceptions but certain requirements need to be met before approval can occur.
  - Pat Veasey commented on the quality of the event

A motion was made by Dennis Getter with regard to above discussion, that a committee be formed with Ragin Craig as chairman, to review the total Keepers of the Culture program and report to this Commission any recommended changes. Plexico seconded the motion.
Discussion followed as to what was needed from the committee. Getter asked for written documentation on the entire program. Tilley talked about reviewing the nominating process to include people from other areas.
A vote was taken and the motion passed unanimously.

- Pat Veasey asked about status of Collections Committee.
  - Discussion but no formal action was taken
  - Getter asked to put this item on agenda for the next meeting.

- Plexico brought up need to change the regular meeting date for December since it falls on a holiday.
  - Attorney Kendree advised that the Commission could suspend Roberts Rules this evening to address subject or put it on the agenda for the special called meeting.
  - It was decided to put item on agenda for the special meeting.

Plexico moved to adjourn; Getter seconded; no discussion; motion passed unanimously.

Prepared by: Barbara Ardrey
Submitted by: Dennis Getter, Secretary/Treasurer
Culture & Heritage
Board of Commissioners Special Called Meeting
November 28, 2012
5:00 PM
Museum of York County

Approved: 01-28-13

Person Presiding: Vice Chair, Jonell Hagner
Members Present: Dennis Getter
Called In: David Plexico, Rick Lee, David Duncan, Ragin Craig
Absent: Hester Benitez
Ex-Officio Absent: Pat Veasey, Bob McCann
Staff Present: Carey Tilley, Barbara Ardrey
Other: County Attorney Michael Kendree

The meeting was called to order by Jonell Hagner, Vice Chair, at 5:00 PM.

**New Business**

- Final approval of funding for Museum of York County roof project

Director Tilley gave a brief synopsis of the background for the Commissioners.

A motion was made by Dennis Getter and seconded by Rick Lee as follows:

To approve moving forward with the MYCO roof replacement as specified in the August 27 meeting at a total estimated cost of $390,700; and

To appropriate an additional $100,000 of Museum held fund balance for the MYCO roof replacement; and

To request authorization from County Council to proceed with the roof replacement project and to amend the County budget by appropriating the balance of funding in the amount of $60,150 needed to complete the MYCO roof replacement from County held fund balance in the Museum fund.

Discussion followed; Lee called for the question; a vote was taken and the motion passed unanimously.

- Change of date for the December Commission meeting.
Lee suggested cancelling the December meeting and if there are important issues that need attention, then have a called meeting. Further discussion ensued.

A motion was made by Dennis Getter and seconded by Rick Lee to cancel the December Commission meeting; no further discussion; a vote was taken and the motion passed unanimously.

There being no further business to come before the Board, the meeting was adjourned.

Prepared by: Barbara Ardrey
Submitted by: Dennis Getter, CHC Secretary/Treasurer