

## **FMBA POLICY MANUAL – UPDATED March 10, 2023**

### **Accident Policy**

If an accident occurs, even if there is no apparent injury, an “accident report” must be filed and President notified. Forms are in bottom, front cabinet, on right side of desk.  
2/19

### **Audio Visual/Library (Copier)**

Books and CDs (videos) shall be checked out at the desk by Members only. Books shall be returned within 2 weeks.

No fees for check out of books.

Check-outs for CDs and Videos are limited:

2 for two weeks, for a \$50 deposit. (4/17)

Check will be returned when videos are returned.

Check in returned books, CDs and Videos at the desk.

Copies for personal use are .10 cents each for black and white, .25 cents each for color. (1/13) (4/18)

### **Bins – Sales/Display**

Rules for the use of the bins are at the discretion of the Chairperson of the Display Bins. Sign up for bins is located in library.

### **Board of Directors and Officer Meetings**

The President shall develop the Agenda used at the board Meetings and email to directors about 2 weeks prior to meeting. Any Board member may add agenda items for the meetings via email to the President. (4/17)

Minutes of the previous Board meeting shall be emailed to all Board members and Officers prior to the next scheduled meeting.

Minutes will not be read during the meeting.(11/01)

The 11 directors and the 4 executive board members shall have voting privileges during board meetings, for a possible total of 15 votes.

If Directors are also officers, they will only have 1 vote. At least 6 directors shall be present to transact business, except in an emergency, as stated in bylaws.(4/18)

Email voting.

- A motion is sent to the voting members of the Board
- The Board Secretary confirms the motion and asks for a “mover” and a “seconder” via email to all voting members of the Board, including Officers and Directors
- The voting options should be included in the email with a **deadline** for the votes to be cast.
- Board Members return their vote to the Secretary who keeps a log of the votes and comments and reports on the results.
- The motion and the results of the vote are read into the minutes at the next scheduled board meeting.
- Email voting will only be used for items discussed at prior board meetings and for items which require little additional discussion.
- **Nine** “yes” votes are required to pass an on-line vote. 1/19

### **Budget committee**

The major chairpersons who have budgets shall be solicited regarding next years expenditures and that input considered by the Treasurer and Committee. (4/18)

### **Building Use and Equipment**

Use of the building is for members.

Rental of the premises shall be made with the approval of the Building Use Chairperson and the Executive Committee.

Seasonal Gallery Hours: October 15 to April 14, 10 am - 3:00 p.m. Monday through Saturday, Summer hours: April 15 to October 14, 9:00 am - 12:00 pm on Wednesday and Thursday (4/18)

### Pet Free Building

FMBAА shall be a pet free building. Pets shall not be allowed inside gallery at any time. The only exception shall be a service animal which is required because of a specific disability and is trained to perform specific tasks regarding that disability. By law, we may not ask for specific paperwork. Unruly or misbehaving service animals may be asked to leave the Gallery at any time. An emotional support animal is not considered a service animal and does not qualify for admittance. (4/18)

### Projects

Proposed projects expected to cost in excess of \$10,000 requires 3 bids before a contract may be signed.(4/18)

FMBAА Gallery shall not loan out equipment such as tables, chairs or easels. The equipment shall be kept in the building for FMBAА classes and events (4/17)

The Gallery shall be cleaned professionally on an "as needed" basis. Cleaning usually will follow famous artist workshops and summer break for a total of 4 cleanings per year. (4/18) Members are expected to clean up their workspaces after use, removing plastic, risers and wiping off tables. (1/13)

### **Commissions**

A commission of 20% shall be charged by the FMBAА on all paintings sold at all shows and sales events sponsored by the FMBAА with the exception of "Art Divine" in December where no commission is charged and "Paint the Beach" which has a 40% commission charge. (4/17)

Price of paintings shall be determined by the artist. Artist shall include sales tax and commission when pricing the painting. (4/18)

### **Conflict of Interest Policy**

Purpose: To meet the requirements of the annual IRS Form 990

Whenever a director or officer has a financial or personal interest in any matter coming before the Board of Directors, the Board shall ensure that:

1. The interest of such Officer or Director is fully disclosed to the Board of Directors.
2. No interested Officer or Director may vote or lobby on the matter or be counted in determining the existence of a quorum at the meeting of the Board of Directors at which such matter is voted upon.
3. Any transaction in which a Director or Officer has a personal or financial interest, shall be duly approved by the members of the Board of Directors not so interested or connected as being in the best interests of the organization.
4. Payments to the interested Officer or Director shall be reasonable and shall not exceed fair market value.
5. The minutes of meetings at which such votes are taken shall record such disclosure, abstention and rationale for approval.
6. If a complaint is brought before the Board, the Board will investigate and then vote on the matter. (3/23)

### **Members with Disabilities**

Members with disabilities shall be entitled to the same rights as all members participating in activities at the gallery. If help is needed to perform various tasks an assistant is the responsibility of the disabled member. (4/18)

### **Donations (03/20)**

The FMBAA shall not donate as an organization to other groups, organizations or associations. Requests may be presented to the members at the discretion of the President. (5/97)

Donation Policy and Procedures – All donations must be approved by the Donation Coordinator

1. Acceptable donations include: money, art supplies and other art related items. If an item is outside these parameters, notify the Donation Coordinator for further discussion.
2. Coordinator should be advised of the donation as soon as possible so a drop off time can be arranged if needed and further questions can be answered.
3. If donation is brought into the gallery without notification, it must be art related as described above before accepting it.
4. If acceptable, notify the Donation Coordinator and store items in back storage room with the donation form attached.
5. Coordinator will sort items as soon as possible, store in Library and set up a sales date.
6. No donated items may be removed at any time without the permission of the Donation Coordinator.
7. Gallery sitter instructions are in the gallery sitters reference notebook. Donation forms are in the file drawer located at the front desk.

### **Dues (01/20)**

Regular membership dues are \$60 (01/20).

Patron membership is \$120 (01/20), with no requirement for Gallery sitting (4/18) Patron

members are encouraged to be active members in the activities of the FMBAA. (1/13)  
Life Membership may be purchased for 10 times the regular membership fee and carries voting privileges at general membership meetings.

Lifetime membership shall be given to all past Presidents of the FMBAA.

Donor membership shall be a non-voting membership. Donors support the mission of the FMBAA and shall be given recognition of donor support. (2/13)

The FMBAA shall honor and support its mission by scheduling workshops and classes of 2D fine arts (1/13)

Student activities shall be included.

Artists who wish to teach a class shall be a member for one year.

### **Endowment Fund**

The executive committee and FMBAA Endowment Fund Manager shall meet annually, preferably in March, to review the Endowment Fund investments with the financial advisor and change signatures as needed. (4/18)

### **Exhibitions**

Duties of the Exhibition Committee shall include setting up dates of shows, arranging for and assisting with judging, receiving, hanging, gallery talks, and obtaining sponsors for receptions and prizes. Waivers, the prospectus and entry forms shall be decided by the committee and available on the website for all shows. (4/17)

No prints or reproductions shall be sold in the gallery or entered in shows with the exception of cards, which may be sold at Artist's reception only. (4/18)

#### Show Censorship

Exhibition Chair and committee may reject or remove piece of art from show if not deemed appropriate. Member may appeal decision per Executive Board. (1/19)

### **Expenses for Reimbursement**

Food shall be reimbursed if the member(s) are requested to attend a distant meeting during mealtime, or food shall be ordered if sanctioned by the Executive Committee in pre planning of the event, especially if saving the Association money by having volunteers doing the work. (4/18)

### **Famous Artist Workshops**

The Famous Artists Workshop Committee shall be authorized to negotiate fees and expenses and write a contract to the effect. (12/91)

The pre workshop Demonstration fee shall be \$10 for those not in the workshop. Public is invited.

### **Fundraisers**

Art Bazaar shall be the name of the Clothesline sale. (12/06) Fund Raisers shall be approved by the Board.(1/13)

Raffle tickets shall be priced at \$2.00, or 6 for \$10.00 (1/13)

### **Gallery Sitters**

Written procedure instructions shall be kept at the desk for sitters to follow.

Sitters shall review the transactions required to sell artwork via cash, credit and checks. (1/13) Members of the Board and Committee Chairs shall be given preference for gallery sitting during Famous Artist workshops. (11/01) This shall be limited to one day, once a year per artist, unless another sitter is unavailable. (4/17)

## **Gallery 2**

- Exhibitor must be an active FMBAA member for 1 full year before requesting a show in Gallery 2
- Requests to hold a Gallery 2 show must be made in writing to the Gallery 2 Chairperson by March of previous season so it can be added to the calendar for the following season.
- A contract is signed when date is set. If exhibitor cannot fulfill obligation, the Gallery Chair needs to be notified at least 1 month in advance so a replacement show for Gallery 2 can be arranged
- Exhibitors are expected to hang and take down the Show according to specified dates. The individual/group should contact the preceding artist and verify the time slot to hang the new show. Gallery 2 should not be left empty between shows.
- If the opening does not coincide with the reception for the main Gallery, a reception date may be requested in writing and the reception is at the expense of the exhibitor. (See rules for Gallery 2 **receptions** below)
- No tape or nails may be used on walls
- No reproductions of paintings may be shown or sold, except cards of original paintings which may be sold on day of reception only
- All works must be original and suitably displayed. Properly displayed canvas paintings and matted, framed works may be shrink wrapped or bagged and shown in bins.
- A 20% sales commission plus sales tax will be deducted by FMBAA from each sale
- If a piece is sold a red “sold” sticker may be placed on it or if removed from the exhibit, the exhibitor will rearrange remaining paintings to fill in spot.
- FMBAA may take publicity photos to promote exhibitions
- FMBAA will not be responsible for loss or damage to artwork.
- Exhibitors signature on the contract indicates they have read the above and agree to the requirements as stated.

The FMBAA recognizes their second gallery, Gallery 2 (also known as Studio 2) as a separate entity from the main gallery. Any artwork that is hung in Gallery 2 for a specific Gallery 2 exhibit will be allowed to be entered into any show in the main gallery, Studio 1 (also known as Gallery 1), including a judged/juried show. (Nov 21)

## **Gallery 2 Receptions**

- Gallery 2 Chair, along with Building Use Committee Chair and Calendar Chair, will schedule Gallery 2 receptions for current shows.
- Advertising for the event is the responsibility of the Artist holding the reception and may be scheduled whenever the Gallery is available.
- The event may be open to members and invitees, but not advertised as a “public event”. If the reception is during normal “open” hours, the artist is **not required** to advertise to all members. However, a “private reception” sign may **not** be placed on

the door.

- Artist must provide own food, coffee, tea, other beverages, and paper products such as cups, napkins, plates, etc.
- All setup/cleanup is the responsibility of the Artist/group holding the reception, including extra help as needed. If reception is during “open hours” Gallery sitters are not expected to open early or stay late.
- If the reception is held during the Sunday main Gallery reception, a designated person must be available to handle sales. If reception is held when gallery is normally closed, all functions are the responsibility of the exhibitor.
- Those hosting the event must be present during event and are responsible for conduct of guests.

### **Hospitality**

This committee shall be responsible for obtaining and organizing the food, set-up, clean-up and table decorations for Potlucks. (4/17)

Hospitality also shall assist Exhibitions with set-up and clean-up for receptions for Fall, Winter and Spring shows. They shall assist with other food related activities as needed. (4/17)

### **Indoor /Plein Air/ Experimental /Portrait Groups**

**Members** and visitors are welcome to participate in open sessions of these groups. Non-members shall be limited to three participation visits and then encouraged to join the FMBAA. The Portrait group may charge a small fee to pay for a model. (1/13)

### **Job Descriptions**

Job descriptions shall be updated each year or when there is a change in chairmanship. They shall be placed in the Profiles binder in the library.

### **Paintings**

Paintings left on the shelves in the Storage room shall be placed in the outdoor shed after 2 weeks in storage.

Paintings left for 6 months shall be considered abandoned and dealt with at the discretion of the Board (4/17)

### **Parking Policy**

In an effort to maintain the long-standing good-neighbor policy, the FMBAA parking committee has put forth a clear policy for the parking lot. This policy will be in effect during the busy season, Oct. 15-April 15, but may be extended at the discretion of the Executive Board

- Parking is for FMBAA members, their guests, and visitors to the gallery. Parking may be allowed for others by permission of the Executive Board.
- 8 laminated passes will be provided to the Staff of Red Coconut RV Park and 8 to Junkanoo/ Fresh Catch for parking along the fence only.

Passes must be visible on dashboard. Parking on the gravel is not included. These

passes are for staff use only and are Nontransferable.

- At the beginning of the season, a list of “block out” dates corresponding with special events at the Gallery, will be provided to Red Coconut, Fresh Catch and the Fire Station. During these “block out” dates, parking on grass and gravel areas is for FMBAA members and guests only. Additional events may be added at any time during season and notification will be given.
- No overnight parking is allowed. Any exception to this policy must be obtained through the Executive Board.
- Unauthorized and illegally parked vehicles will be towed at owner’s expense.
- Loitering in parking areas and on property, in general, is prohibited.
- FMBAA members will be issued parking stickers to be displayed on the passenger side windshield, inside their vehicles, allowing parking on the grass and gravel areas. Failure to follow these policies will result in forfeiting the privilege of parking in FMBAA parking lot. (4/18)

Summer (April 15- October 14)

No overnight parking.

Parking lot may be used during the Summer for special events by Red Coconut in exchange for mowing and trimming of property.

All money collected for parking shall be donated to FMBAA

### **Prayer at FMBAA Gatherings (11/21)**

In order to make all guests and members feel welcome in all of the FMBAA gatherings, regardless of religious beliefs or backgrounds, the FMBAA has adopted a “Statement of Gratitude” in lieu of a prayer. It is recommended that a non-religious statement of gratitude be read to give thanks for the meal and the fellowship of our organization.

### **Publicity**

Publicity Chair shall publicize any information provided by Committee Chairs for any events they wish to publicize at least a month in advance. Information shall include: who, what, when, where, how, in Word format and include a jpg photo file complete with a list of correctly spelled names of people in photo and title of work represented. Interesting or pertinent facts are helpful. Facebook may be utilized by Publicity chair to publicize events and items of interest. (4/17)

### **Sales Permit (11/21)**

It was voted on during the FMBAA Board meeting on November 2, 2021 that it would renew/obtain a permit for our artists to sell heir artwork in Times Square on Fort Myers Beach, only on the premise that; A. 20% of all sales must be paid to the FMBAA by the selling artist; B. Only FMBAA members in good standing will be allowed to sell their art under the FMBAA permit.

### **Scholarships (2/21)**

Fundraisers shall be held throughout the year to raise monies for the Student Scholarship Fund. Scholarships shall be awarded to senior high school students

enrolling in a recognized higher education institution. The awards shall be based on a competition of their portfolios displayed in the gallery. Public donations may be made to the Fund at any time.

Procedure for redeeming scholarship award: Upon registering for classes, the student will send the FMBAA their college registrar transcript showing the address of the college, which must include the student name and registrar ID number. The Scholarship check will only be sent directly to the college/university. The Student has two (2) years from the scholarship award date to request a redemption of a scholarship.

### **Short Workshops (3/20)**

Short Workshops are arranged by the Education Coordinator in March, following setup of calendar for the season. They will be advertised locally and on the FMBAA website. Members who have paid their dues and are in good standing may sign up to teach a workshop with the approval of the Coordinator. Nonmembers will be considered to teach a workshop if dates remain after member sign up. Workshops may be 1 day, 2 days, or 3 days in length. Suggested general student fee \$65/day for members, plus \$10/day for non-members. An additional supply fee may be charged by the Instructor. Building usage fee is 20%. Gallery sitters will refer students to instructors for sign up. If workshop needs to be cancelled for any reason, instructor must contact Coordinator, the students who signed up, Webmaster and Publicity Chair as soon as possible so the appropriate measures can be taken. Refunds will be at the discretion of the Instructor. If there are questions, the Coordinator will make the final determination. The Coordinator will give a Short Workshop update monthly at Board Meetings or send a report prior to the Board Meeting.

### **Storage Room**

The storage room shall be used for storing the Gallery's supplies and other necessary storage needs of the FMBAA. No personal items shall be kept in the storage room. The floor shall be kept free of items for the safety of all members. All brushes and art materials shall be cleaned in storage room sink only. Shelves shall be provided for short term painting storage only. (1/13)  
Unclaimed "lost and found" items shall become the property of FMBAA after 6 months and shall be dealt with at the discretion of the Board. (4/17)

### **Treasurer**

The tax-exempt certificate (501 c3) is stored in the safety deposit box at the BB & T Bank.(4/17) Copies shall be in the file at the desk (building binder). Both the Treasurer and the Assistant Treasurer shall have keys to same. (1/13)  
Returned checks: Cost of bounced checks from sale of art shall be split 50/50 between the FMBAA and the artist. The artist stands the loss of the painting. It shall be up to them to attempt to have the painting returned to them. (4/08)  
The Treasurer shall return fees for workshops if there is a hardship, or if a request is made to transfer the fee to another approved workshop in the current series. Otherwise the fee is forfeited. (1/12)

**Website**

Website shall be maintained and kept up to date by the Webmaster who, at his/her discretion, and with the consent of the President, shall publish materials sent by members. Questions regarding content shall be discussed with the President prior to posting.(4/17)