

## **Preservation Toolbox - Business and financial considerations**

Supporters who hope to preserve an art environment will need to contend with numerous variables and challenges. This “toolkit” is meant to acquaint those starting in the field, or those who have been involved for a time but are facing new challenges, with some of the organizational issues and possibilities. There is no one-size-fits-all preservation plan, and this toolkit is meant as an initial guide to some of the questions that may be raised. It is not meant to supersede or offer legal advice. An attorney or an accountant may be the best reference in many situations.

Many art environments begin their lives as backyard projects. The artists may never have intended for their work to find an audience beyond their friends, families, and neighbors. Often the sites were built without proper architectural plans or building permits, and without regard for zoning requirements. When supporters form plans to save an environment and preserve it in perpetuity, it changes the meaning of the environment, from a “passion project” into an institution.

Although we at SPACES generally advocate for all art environments to be stabilized, secured, and open to the public, with a sound foundation of management and preservation plans for the short- and long-term, we realize that this may be beyond the scope or desires of all owners. Each site’s accessibility to the public needs to be evaluated based on the individual circumstances of ownership, community support, physical stability, and governmental permissions.

Whether it is for reasons of privacy or because of potential issues with zoning or safety issues, not all sites are open to the public. Some sites are only viewable from the street or perimeter, and are open infrequently or only on special occasions. In such cases it may not be necessary to incorporate or otherwise formalize the legal status of the site and its caretakers.

### **Goals and priorities**

Preserving and managing an art environment takes planning and goal setting, which is a process that can take many years. It requires money and human capital, building a community to support the environment, and collaborations and partnerships, often with local government.

For further information about preservation of art environments, please see

<http://www.spacesarchives.org/resources/preservation-toolbox>

### **Money management and anticipated expenses**

Every art environment is different and there is no one-size-fits-all guide to money management and planning; however, there are certain expenses that supporters may expect at different stages of planning.

#### **A. Short term – Stabilization:**

Before preservation can begin, what will it take to secure the property?

- **Ownership:** If the site needs to be purchased this can be a considerable expense. Can the site be purchased free and clear, or are there competing ownership claims (e.g., from relatives, heirs)? Are there back taxes that will need to be paid? Are there any required renovations or code issues that will add to the new costs of ownership?
- **Site caretaker:** If no one is currently living on-site, it may be appropriate to consider whether it is desirable to rotate paid staff and/or volunteers to watch the property on a full-time basis.
- **Compliance fees:** Depending on the structure of the organization, there may be state, county and/or federal filing fees to codify the new ownership.
- **Overhead:** Even at the grassroots level consider the small fees that will accumulate as the site is stabilized. This may include fees for assistance from professionals such as accountants, engineers, and attorneys, travel expenses, and printing charges for flyers or publicity. Will phones, computers, staplers, and other office supplies and equipment need to be purchased?
- **Before preservation activities commence** does a fence or other barrier need to be erected? Check to determine whether there are zoning restrictions regarding the height of a

perimeter fence and/or its materials of construction. Will a construction permit be required from the city or county to erect the fence?

- What preservation steps are necessary – please see <http://www.spacesarchives.org/resources/preservation-toolbox/>

#### B. Mid Term:

- Open to the public:
 

Health and Safety: Enabling public access brings with it corollary requirements to ensure the safety of visitors while on-site, but also of the components of the art environment themselves. Liability insurance is a must, and may be available from the same insurance carrier that provides general fire policies. But there are many additional components that will need to be reviewed. Can the public easily find its way to the environment? Are open hours clear, posted, and adhered to? Are restrooms stocked appropriately and accessible to those with disabilities?
- Office and Storage: How and where will historical records and financial documents be stored? Is there an appropriate and secure location at the site itself, or would it be best to locate this material off-site?
- Human resources: What kind of staffing is needed? Are there resources to pay professional staff, or will the organization need to rely on volunteers? Depending on the hours the staff and/or volunteers work, the organization may have to cover medical, worker's comp, disability, and/or social security insurance.
- Marketing and advertising: Creating a web presence and building a website.

#### C. Long term:

- Ongoing maintenance: This will be detailed in a preservation plan, as art environments require regular and constant care.
- Budgeting: it is important to have thorough discussions about short- and longer-term financial budgeting and recordkeeping. The budget will help the organization keep track of priorities in terms of programming, administrative expenses, and in terms of how income from grants, donations, or sales will be used.

- <http://www.nonprofitaccountingbasics.org/reporting-operations/budgeting-process> - This is a primer for nonprofit budgeting.

### **Site Management and laws governing public access**

Zoning Laws: Can the art environment be open to the public? Many sites are built in residential neighborhoods that are not zoned for commercial enterprises or even nonprofit museums. The city or county mandates zoning laws. Check their websites as many now post ordinances online.

If the site is on rented or leased property, check the agreement with the owner before opening to the public.

If there is a homeowner's association, it may include restrictions about public access.

Be aware of restrictions regarding signage and advertising.

Be aware of accessibility issues, ADA (Americans with Disabilities Act) laws, environmental compliances, and fire codes.

Resources on zoning laws:

- <http://www.sba.gov/content/basic-zoning-laws>
- <http://www.ada.gov/regs2010/smallbusiness/smallbusprimer2010.htm> - This document is a helpful primer for small businesses dealing with ADA compliance.

Be aware of restrictions regarding the number of visitors that may be on the property at a single time. Depending on local laws, some sites may be able to be open by appointment only.

Note: Even if the site is zoned in a way that appears to prohibit public access, it may nevertheless be possible to apply for and be granted a special use permit (SUP) or a variance that will sidestep this restriction. A SUP is generally easier to obtain than a variance. Different cities and counties

may use different terms for this, including “administrative permit.” This process may require an attorney, and may entail considerable time and funding.

Some environments operate on a small scale and exist because the community has rallied behind them and the local government has been supportive. They may not have been built with permits and they may not adhere to local urban codes, but they may have been accepted nonetheless because of the positive benefits they provide for the community and visitors.

Building Permits: Many sites are built either in or outside the artist’s home, without obtaining proper building permits. The extent and size of the artwork will often determine whether this will be an issue for the local government, the body that generally determines building codes. These codes are not always static, however, and may change as the community itself changes. The city or county may choose to “grandfather” in some sites – meaning that if the environment was created before the building code went into effect, the local government may allow the old structure to remain.

However, the grandfather clause most likely will not hold for any new construction. In addition, if the usage of the environment is changed, e.g., the site is turned into a retail store or a restaurant, or even if it is organized as a nonprofit and/or if admission is charged, the site may still have to conform to new codes.

Sadly, local governments have closed or demolished several art environments that did not comply with building codes.

- Recently the government closed the Minister’s Tree House, built by Horace Burgess in Crossville, Tennessee, because the Fire Marshall declared the site a potential hazard. Burgess and his supporters are fighting to reopen the tree house to the public.
- Starting in 1986, Tyree Guyton turned several blocks of houses in Detroit, Michigan into a large art environment named the Heidelberg Project. Twice the city of Detroit has demolished several of the houses. However, Guyton keeps rebuilding with the support from an invested local community.

- In 2011, Phonehenge West, a large wooden structure in Acton, California built by Alan Kimble Fahey, was demolished by the county of Los Angeles for building code violations. Fahey was fined for the demolition bill.

Other art environments have withstood pressures from local governments. Be a good neighbor: Many environments exist because either they conform to the building codes, were built prior to the current code, or simply because no one has complained. Not everyone sees art environments as aesthetically and/or culturally valuable. It is important to build community ties and establish the site as integral to the local culture. Many towns are proud of the art environment in their community. If the community and local government see the environment's benefit, including bringing in tourists, they may help prevent a site from being demolished.

- Sabato Rodia's Watts Towers in Los Angeles, California avoided demolition in 1959. The city of Los Angeles declared the Towers a "hazard," yet through public awareness and action, the Committee for Simon Rodia's Towers in Watts conducted a stress test and proved that the Towers were safe. Since then the Towers have gone through several ownership changes, and they are now owned by the state of California and safeguarded by the city of Los Angeles. Over the years, there have been several proposals by the various owners that would have threatened the site's security and integrity. Although significant conservation challenges remain, the Towers' supporters have resisted each and, to date, have been successful.

## **Organizing**

Due to the time and financial costs involved in preserving and managing a site, it is often necessary to formally organize to protect it. Many environments are managed as 501(c) (3) nonprofit organizations, meaning that any donations will provide the donor a tax write-off, and that the organizations themselves are exempt from paying most taxes. However, this is not the only option available; some groups run the art environment as a for-profit roadside attraction. Still others are run by the artist, or their friends and family, without much of a formal

management or sustainability strategy. There are pros and cons to consider based on the circumstances of each individual situation.

Nonprofits: Most art environments that are no longer in the process of being constructed by the artist are organized as charitable 501(c)(3) nonprofit organizations. One of the main differences between a for-profit and a nonprofit business, besides how income is allocated, is philosophical. The nonprofits act as stewards of the art environment, preserving, managing, and creating educational content on behalf of and for the benefit for the community, thus any monies earned are directed back into the organization, ideally so it can provide even better service to the community. The directive of a nonprofit is to fulfill the organization's mission, and no individual should personally benefit from any income received.

Definition of a 501(c)(3): "Refers to an organization that has applied for and obtained tax-exempt status from the IRS under Section 501(c)(3) of the Internal Revenue Code. To qualify for a section 501(c)(3) status, the organization must be formed for charitable, religious, educational, scientific, or literary purposes.... An organization with 501(c)(3) status does not pay income taxes related to its nonprofit purposes, can receive tax-deductible contributions from donors, and is eligible for private foundation grants." (Definition taken from <http://www.nolo.com/dictionary/501%28c%29%283%29-term.html>). In addition, a nonprofit may not have to pay property taxes if the property is dedicated to the mission of the organization, as most art environments are.

Advantages of starting a nonprofit:

- The organization is eligible to receive tax-deductible donations.
- Like an LLC (see below), there is limited liability for the director and operators/staff.
- The organization may apply for grants from the government, corporations, or foundations.
- There is power in numbers: Unlike a sole proprietorship, or an LLC with one or two owners, by incorporating with a full board of trustees, the environment has a greater chance of being protected if the owner passes away or decides to move on.

There are many resources available online describing the process to set up a nonprofit. For example, see the following:

- <http://www.irs.gov/Charities-&-Nonprofits/Application-for-Recognition-of-Exemption> - The IRS details some of the steps necessary to incorporate as a 501(c)(3).
- <http://www.irs.gov/pub/irs-pdf/p4220.pdf> - This brochure, put out by the IRS, identifies several key components for incorporation.
- <http://www.wikihow.com/Start-a-501c3-Nonprofit-Organization> - Wikihow offers a step-by-step guide for setting up as a 501(c)(3).

### **Who does what in nonprofit? Putting the board together**

The first organizational step for a nonprofit is to put together a board of directors, generally known as trustees. The board is the governing body for the organization. Among other things, they hire and review the director, approve budgets, provide financial oversight, strategize, plan, and help with fundraising.

Legally, the board members are held responsible to act in good faith in the best interest of the organization. The individuals on the board can be held financially responsible for wrongdoings. When putting together a board, an organization should seek out those who are passionate about the mission. However, a successful board is diverse and its members may be knowledgeable about the art environment or, in contrast, they may be experts in related fields. It is helpful if board members have a variety of skills and qualifications, not the least of which would be legal and financial expertise.

Board members are expected to help with fundraising; this may include donating their own funds or helping secure additional donors.

Depending on the size of the organization, board members are not necessarily involved in the day-to-day operations of the organization; in contrast, this is the responsibility of the director, who may delegate such tasks to staff and volunteers.

The state in which the organization is incorporated will dictate the minimum number of individuals on the board. A typical minimum is three members: a chief executive, treasurer and secretary.

There may be other duties appropriate for board members. The bylaws, which are another document that will need to be developed by the founding organizers, will identify these additional responsibilities.

- <http://www.aam-us.org/resources/publications/museum-magazine/archive/your-secret-weapon> – The American Alliance of Museums identifies other key qualities for a board member.
- <http://www.cullinanelaw.com/nonprofit-law-basics-what-are-the-duties-of-nonprofit-directors/> – Cullanane Law lists the legal responsibilities of the board.

**Executive Director:** Smaller nonprofits may do without an executive director. However, once the organization becomes large enough, they may need to hire one. The executive director is either a paid or a volunteer position. The director typically does not sit on the board, but does report directly to the board. The executive director will be responsible for overseeing day-to-day operations and hiring paid staff and volunteers.

Commercial roadside attractions: Several art environment sites are incorporated as businesses and operated as roadside attractions. Examples include the Coral Castle in Homestead, Florida, and Desert View Tower in Jacumba, California, which have been run as roadside attractions for decades.

In these situations, management cannot receive tax-exempt donations or grants. Instead, a business plan might include the solicitation of potential investors for support of the site.

All income will be taxable.

Other legal options, including acting as a sole proprietor, Limited Liability Company, or corporation, are also available:

Sole proprietorship: The business is run and operated by one individual for profit.

Advantages:

- Simple and cheap to begin, there is no legal state set-up. However, it will often still be necessary to obtain operating permits and conform to local regulations.
- The proprietor has complete control of operations.
- Taxes are easier to prepare. Typically, reporting requirements can be addressed with the IRS's normal 1040 form along with the self-employment tax schedule C, as well as the commensurate state forms. If employees are hired, there will be additional paperwork.

Disadvantages:

- The proprietor assumes all business responsibilities and debts.
- It may be more difficult to attract investors.
- Art environments take continuous preservation efforts. This may be outside the skill set or financial resources of a sole proprietor.
- When the proprietor passes away, or leaves the business, there is no infrastructure set up to take over the care and ownership of the art environment.
- Operating in this fashion is best reserved for small sites with generally low annual attendance.

Resources for Sole Proprietorships:

- <http://www.nolo.com/legal-encyclopedia/50-state-guide-establishing-sole-proprietorship.html>. This is an online guide, state-by state, for setting up a sole proprietorship.
- <http://www.sba.gov/content/sole-proprietorship>. The U.S. Small Business Administration provides an overview of starting a business with many additional resources.
- <http://www.irs.gov/Businesses/Small-Businesses-&Self-Employed/Sole-Proprietorships>. The IRS's website identifies the necessary paperwork for filing taxes.

LLC: A Limited Liability Company, or LLC, is a for-profit business structure that falls between a sole proprietorship and a corporation.

Limited liability means that owners have a larger degree of legal protection vis-à-vis the business than a sole proprietorship. The company and the owners are considered separate legal entities and the owner's personal assets have limited protection. One advantage of an LLC is that it is a pass-through tax entity, meaning that profits and losses of the business pass through to the owners. The owners report their profits or losses on their individual tax forms.

Starting an LLC may be easier than starting a corporation; however, it may be more difficult to attract investors or shareholders. Many organizations start small as an LLC and, over time, evolve into larger corporations.

Unlike a sole proprietorship, there are several legal steps involved in order to incorporate as an LLC. Additionally, filing taxes are more complicated.

There are many resources available online that detail the process to start and operate an LLC:

- <http://www.sba.gov/content/limited-liability-company-llc>. The US Small Business Administration details the steps necessary to become an LLC.
- <http://www.irs.gov/Businesses/Small-Businesses-&Self-Employed/Limited-Liability-Company-%28LLC%29>. The IRS provides information on getting started and the forms that are necessary.

Corporation: A corporation is an entity that is legally separate from the individual owners.

Instead of soliciting donations, it attracts investments; the investors then become shareholders in the company. The incorporation process varies slightly from state to state, and there is a significant amount of data available online as to how a group of individuals incorporates.

- <http://www.irs.gov/Businesses/Small-Businesses-&Self-Employed/Corporations>. The IRS provides further clarification of the necessary forms.
- <http://www.sba.gov/content/follow-these-10-steps-starting-business>. The Small Business Association provides a primer on starting a corporation.

<http://www.sba.gov/content/learn-about-your-state-and-local-tax-obligations>. The SBA also provides a list with links to the various state websites.

Government ownership: Some art environment sites are the property of the government and operated as parks for the enjoyment of the community. Although this affords the site a high level of protection, it does not necessarily mean that the local government will always have the budget to properly maintain or preserve the environment.

As an example, the State of California owns the Watts Towers in Los Angeles, but the city of Los Angeles has operated the towers since 1978. The site was initially operated by an independent nonprofit, the Committee for Simon Rodia's Towers in Watts (CSRTW), but they relinquished their ownership because of the logistical and financial difficulty of preserving the site. However, the city has been unable to address its commitments in terms of upkeep and preservation work on the Towers. In 2010, the city entered into an agreement with the Los Angeles County Museum of Art (LACMA), whereby the museum would take over the preservation duties. LACMA, due to its nonprofit status, was able to obtain preservation grants that were not accessible to the government.

Custodial relationships: Some art environment sites may be owned by one organization, yet operated by another. For example, the county may own a site, and work to protect it legally, but a separate nongovernmental entity may handle the day-to-day management or preservation duties. There may also be a partnership between two separate nonprofits. There are many reasons why two or more groups may share the responsibility of a site. It may be that one entity has financial resources but does not have preservation experience, or the group that owns the property is not local, so they find a local group to manage the day-to-day operations. Government agencies or for-profit corporations may own the site, but since they cannot seek tax-deductible donations, a nonprofit may be established to seek donors.

\* Friends groups and other supporters: Several organizations that support but do not own art environments have taken up this naming convention. These groups organize out of a strong passion for the site. The Friends group may manage and maintain the site, or help in other ways.

There is a deep history of Friends groups established to support national parks, libraries, and museums. These groups may operate, manage, curate, preserve, and raise money for the site. In order to avoid straining the relationship between the Friends group and the environment owners, discussions about the mission and organizational priorities should be clarified at the beginning of the partnership.

In Salt Lake City Utah, concerned supporters of Gilgal Gardens formed the Friends of Gilgal Gardens to raise funds, elicit publicity, and ultimately purchase and conserve the environment. After successfully purchasing and securing the site, the Friends gave ownership over to Salt Lake City. Although the city owns the site, the Friends actively raise funds to maintain the site, curate the property and provide volunteer preservation labor.

Resources for support groups:

- [http://www.nps.gov/partnerships/best\\_practices\\_rpt.pdf](http://www.nps.gov/partnerships/best_practices_rpt.pdf). The National Park Service has put together a list of best practices to help Friends groups work with the main organization.
- [http://www.nps.gov/partnerships/friends\\_groups\\_doc.htm](http://www.nps.gov/partnerships/friends_groups_doc.htm). More information from the National Park Service concerning their relationship with Friends groups.
- <http://www.museumfriends.com/codeofethics.asp>. The World Federation of Museums has created a code of ethics for Friends groups.

## **Mission Statements**

Whether the environment is organized as a for-profit or nonprofit, SPACES advocates for developing a mission statement. The mission statement succinctly describes the organization's purpose and obligation. Mission statements vary in length, from a couple of sentences to a few paragraphs. Examples of art environment mission statements:

The Pasaquan Preservation Society, Inc:

“The purpose of the Pasaquan Preservation Society, Inc. is to preserve, maintain, and interpret the site and structures known as St Eom's Pasaquan, along with the related collection of works of

art, articles of craft and costume, writings, sound recordings, film and photography, and other articles and objects that were created or owned by the late Eddie Owens Martin (also known as St Eom). Further, it is the purpose of the society to use the site of Pasaquan and the associated collection of objects as instruments for educating and inspiring the American public with regard to the capacity of the individual to produce eminently significant achievements through personal acts of innovation, diligence, and vision.”

The Friends of Fred Smith (who maintain The Wisconsin Concrete Park):

“The mission of the Friends of Fred Smith, Inc. is to serve Price County by ensuring historically accurate preservation, conservation, maintenance, and interpretation of the Wisconsin Concrete Park according to the 1978 Kohler Foundation, Inc. deed.

To this end, FoFS activities include but are not limited to the following:

- Annual assessment of the condition of the Park and its resources; planning and implementing appropriate maintenance and conservation of the sculptures, and preserving the historic integrity of the site as a whole.
- Advancing public appreciation of Price County’s cultural resource by developing educational and interpretive materials and programs.
- Collecting and preserving the history of Fred Smith and his works.
- Augmenting Price County’s custodianship of the Wisconsin Concrete Park, and furthering Friends of Fred Smith, Inc.’s mission, by soliciting grants, contributions, and gifts to achieve our collective goals.”

Orange Show Center for Visionary Art (which owns and maintains several art environments in Houston, Texas): “The Orange Show Center for Visionary Art preserves, promotes and documents visionary art environments, provides opportunities for the expression of personal artistic vision and creates a community where that expression is valued.”

Salvation Mountain, Inc. (which manages and preserves Leonard Knight’s Salvation Mountain, in Niland, California): “The primary objectives and purposes of Salvation Mountain, Inc. shall be to maintain the work and legacy of Leonard Clark Knight, American Folk Artist, through open interaction with the viewing public, educational/artistic programs and internships as well as acts

of charity. The primary objective will be to preserve and display Mr. Knight's artwork. Secondly, the organization will support efforts of charity according to Mr. Knight's wishes.”

## **Fundraising**

Managing, curating, and preserving an art environment can be expensive. There are several methods for an organization to raise capital. These options will vary based on whether the environment is run as a business or a nonprofit.

Grant writing: Grants are a primary fundraising strategy for nonprofit organizations. Grants are available from public and private foundations and government organizations (local, state, or national).

Grants are not loans. All grants have parameters, which the nonprofit must meet in order to successfully obtain funding; likewise, they also have deadlines and reporting requirements that must be met. Many nonprofit organizations that are custodians of art environments have successfully applied for and received grants.

Grants are generally project specific; however, there may be general operating support (GOS) grants available from state arts agencies.

- <http://www.nasaa-arts.org/Research/Grant-Making/GeneralOperatingSupportFactSheet2011.pdf>. The National Assembly of State Art Agencies supplies further information concerning GOS grants.

Preparing grant proposals requires familiarity with grant-writing language; many organizations pay professional grant writers for their services. Grant proposals vary in their complexity; many take much time and effort to complete, so it is important to weigh the time and effort necessary for preparation against the amount one is applying for and likely to receive. However, establishing a successful fundraising track record is essential for all nonprofit organizations, so applying for and receiving small grants can be helpful in positioning your organization for future and more significant funding.

Many grantors will provide samples of proposals that they have funded on their webpage. Read these to get an idea of what the foundation is looking for.

Most grantors will assist with preparation at some level. Check the funder's website or speak with their administrators to determine if your project is eligible before investing the time to prepare a comprehensive proposal. Take advantage of all assistance offered.

Most grants may require matching funds, dollar for dollar (i.e., to receive a \$2,500 grant you will need to match with an additional \$2,500). Other grants allow for in-kind matches (i.e., contributions of labor, supplies, or other in-kind contributions may be used to match the amount requested). For capital improvement grants, especially from the government, the match requirement can be as much as 3:1 or 4:1.

Depending on the size of the grant, funders require different levels of reporting and grant management. For larger grants, an organization might even be asked to set up a discrete bank account. In all cases, the grantee should be prepared to evaluate the project after funds are expended with both narrative and financial reports.

#### Foundation, corporate and government (local, state, or national) grants:

Foundation grants: There are numerous Foundation grants for preservation and educational projects.

- <http://www.preservationnation.org/> .The National Trust for Historic Preservation offers matching grants for historic preservation.
- <http://foundationcenter.org>. The Foundation Center is a great general resource for foundation grants. Their website offers a large database listing thousands of grant opportunities. They also provide webinars, training courses, and instructions to help nonprofits through the proposal process. Of note, some of their resources, including the main database, are subscription-based and there is a fee. Although this is a great resource, it may be a little daunting at first. We recommend first checking with local and regional organizations.

Government Grants: There are federal, state, and other local government grants that are targeted for preservation, arts and education, and community service. Government grants should not be sought for emergency use as the turnaround time is typically between six to nine months.

- <http://www.grants.gov/>. This is the main portal from the federal government and provides general information on a range of available funding opportunities.
- <http://www.nea.gov/>. The National Endowment for the Arts (NEA) regularly provides grants for museums, art projects and community-based arts and culture organizations. Most helpful for specific community education and preservation projects.
- <http://www.neh.gov/>. The National Endowment for the Humanities (NEH) provides grant opportunities that often target for assistance with interpretation, putting together cultural programs, and developing an educational component.
- <http://www.nps.gov/history/grants.htm>. The National Park Service is a great resource for preservation grants.
- <http://www.ims.gov/>. The Institute of Museum and Library Services (IMLS) offers grants for general operating support and conservation; their national leadership grant is good for large programs that can be applied as a model to the whole field.

State Government Grants: A listing of state grants can typically be found on each state's website. We also recommend that you check with your state's art and/or humanities council.

- <http://www.neh.gov/about/state-humanities-councils>. This website lists the websites for every state's humanities council.
- [http://www.nea.gov/partner/state/SAA\\_RAO\\_list.html](http://www.nea.gov/partner/state/SAA_RAO_list.html). This list identifies many state and local art agencies.

General grant help and resources:

- [http://ctb.ku.edu/en/tablecontents/sub\\_section\\_main\\_1301.aspx](http://ctb.ku.edu/en/tablecontents/sub_section_main_1301.aspx). The Community Toolbox has prepared an excellent comprehensive overview of the grant-writing process and provides samples of successful grants.

- <http://nonprofit.about.com/od/writingagrantproposal/a/8-Tips-For-More-Successful-Online-Grant-Applications.htm>. Helpful for general grant writing advice.
- <http://www.heritagepreservation.org/programs/sos/sosfundraising.htm>. The Smithsonian has provided a list of grant foundations that deal specifically with preservation.

Earned income – Admission: Consider whether the environment will be available for viewing by the public free of charge, or whether an admission fee will be charged.

Some sites have no admission charge for self-guided tours, but may charge for docent tours, larger groups, or special programs.

Many environments install a donation box, which lets visitors decide how much they want to give. This may be in lieu of or in addition to a paid entrance fee.

Earned income – Other:

Sites can also earn income by selling books, postcards, sodas, water, or other items. This will necessitate storage and display area.

**Important Note:** Unrelated Business Income Tax (UBIT): This is an important caveat for nonprofits – The items and services sold must be substantially related to the organization’s purpose, or the organization will have to pay income tax on their sales. For example, a book or post cards featuring the art environment would not be subject to this rule, but a T-Shirt or ice cream cone probably would be.

- <http://www.irs.gov/Charities-&-Nonprofits/Unrelated-Business-Income-Defined>. UBIT as defined by the IRS.
- <http://smallmuseumtoolkit.blogspot.com/2013/02/ignorance-is-not-bliss-ubit-and-museum.html>. The Small Museum Toolkit provides a good primer on UBIT for museums.

Renting out the space: Art environments are unique and fascinating places. Groups may wish to rent out the site for various purposes, including meetings or photo shoots. Consider the

environment's fragility before renting the space out. SPACES advocates that if the environment is rented out it be done in consultation with a preservationist. Can the site risk the wear and tear of numerous unsupervised people walking around it?

Donations: Nonprofits can seek out tax-free donations from individuals, foundations, and companies. A business will seek out investors rather than donors. Be a good member of the community, as “people often fund people,” and not institutions per se.

Be creative! Several art environments have set up public amazon.com “wish lists,” which they link to from their websites. These wish lists act in the same way as a bridal registry: the organization lists goods that they need on the website for the public to purchase for them.

Throw a fundraiser: Invite the public to the environment for a special occasion, concert, dinner, or event. However, as with renting out the site, consider the integrity and fragility of the art environment beforehand. A historic preservationist familiar with the site should be consulted as part of the negotiations.

Sponsorship: Some donors will earmark their funds to be used only for a specific purpose or project. For example, a donor may be more interested in funding preservation work, but not as interested in helping to pay the light bill. Tap into the passions and interests of the community and make specific sponsorship opportunities available. Make sure to respect this relationship, and ensure that funds positioned for a specific project are only used for that project.

In-kind donations: A nonprofit may seek out non-cash donations. This might include receiving goods and services from local businesses.

- <http://www.idealists.org/info/Nonprofits/Dev1>. Provides an introduction to fundraising.

Memberships: The environment can sell memberships at a variety of price categories. For example, memberships offered may include family, student, or individual. Typically, the membership will offer the member some sort of benefit, including free admission or a copy of

the newsletter. Maintaining the membership lists can be onerous, however, so ensure that the net value of these funds is positive before getting involved in a membership campaign and program.

Internet crowdsourcing: Do you have a strong internet presence? When using these websites the art environment will establish a goal amount and timeline to achieve a stated goal. Typically, a specific purpose is identified, instead of just asking for general operating expenses. Such projects might include requesting funds to purchase the property, hire a preservationist, or create a specific exhibit.

If the stated goal is not reached before the deadline, then the donation is not collected. Start small; while there are many examples in the museum world where large goals have been met, there are also examples of an institution setting a goal of many thousands of dollars and only receiving a few hundred.

With some crowdsourcing sites, the organization will offer a gift for different levels of donations. For example, with a \$10 donation one may receive a postcard of the environment, while a \$100 donation might generate a private tour.

- <http://www.kickstarter.com/> and <http://www.indiegogo.com/> are two of the more popular crowdsourcing sites.

### **Emergency Procedures and Risk Management**

There are always risks to consider and manage, and while it is not possible to prepare for every possible threat it is important to have a basic plan in place.

Start a phone tree: When an emergency occurs, whether the city is revving up the bulldozers or Mother Nature has wreaked damage, it is important to be able to quickly get out the word. Make sure to include not only the stakeholders and emergency workers but also local politicians and community supporters.

- [http://www.ehow.com/how\\_7540932\\_set-up-phone-tree.html](http://www.ehow.com/how_7540932_set-up-phone-tree.html). This is a basic primer on setting up phone tree.

Develop a disaster plan:

- <http://www.aam-us.org/docs/continuum/developing-a-disaster-plan-final.pdf?sfvrsn=2>.  
The American Alliance of Museums (AAM) has created a best practices document for museums, which can be useful for art environments.

**Conclusion:**

Beside the tangible materials – be they concrete, wood, beer bottles, found objects, or natural forms – art environments were built with patience, commitment, and unrelenting passion. Saving and preserving art environments requires these same qualities to an even greater degree, and, in general, cannot be done alone: building an art environment may be the result of the labors of a single creator-builder, but saving and preserving the site in perpetuity—or at least for the foreseeable future—takes a community. Not all environments will be saved; this is not an easy process. Over the years, large foundations as well as small but passionate ragtag grassroots community groups have stepped up and saved art environments. For every failure, there are many terrific success stories. It has been done before and it can and will be done again.

Keep us informed about your efforts, and good luck!

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