

BOARD OF COUNTY COMMISSIONERS
SARPY COUNTY, NEBRASKA
RESOLUTION ADOPTING POLICY GOVERNING PLACEMENT OF STATUES,
MEMORIALS AND WORKS OF ART UPON PUBLIC PROPERTY

WHEREAS, pursuant to Neb. Rev. Stat. §23-2901 to 2905(Reissue 2007), a County may acquire facilities for social, athletic, and recreational purposes; and,

WHEREAS, pursuant to Neb. Rev. Stat. §23-819 (Reissue 2007), a county may provide for the construction and erection of statues, memorials, and works of art upon public grounds and parks; and,

WHEREAS, there is a limited amount of public grounds and parks (hereinafter "public property") within Sarpy County (County) and as such, the County wishes to protect and preserve its public property; and,

WHEREAS, there are aesthetic and safety issues surrounding the placement of statues, memorials and works of art on public property; and,

WHEREAS, the County desires to adopt a policy regarding the placement of statues, memorials and works of art on public property within the county.

NOW, THEREFORE, BE IT RESOLVED BY THE SARPY COUNTY BOARD OF COMMISSIONERS THAT the following policy regarding placement of statues, memorials and works of art on public property within the county's jurisdiction is adopted:

- I. Prior to any permanent object such as a statue, memorial or work of art being placed on public property, approval must be obtained from the County Administrator.
- II. A written request from the individual or organization must be submitted to the County Administrator, such request should include:
 - a. Name of individual or organization and its local leaders;
 - b. Description of the organization including its mission statement and history in the community;
 - c. Explanation of the object's relevance to the history of the community and a statement of the purpose or significance of the object and why it should be placed on public property;
 - d. Diagram, renderings and photographs of the object, including the object's dimensions, materials to be used, and message
 - e. Proposed location of the object;
 - f. Statement that the organization shall fund all costs associated with fabrication and installation of the object; and
 - g. Description and estimate of any necessary on-going maintenance costs.
- III. The County Administrator, will approve or deny the request, and will take the following into consideration:

- a. The size, materials, and design of the object;
 - b. The proposed location of the object and the number of other objects in the general vicinity;
 - c. Any costs associated with the object, such as on-going maintenance, potential relocation costs, etc.;
 - d. The message portrayed on the object to ensure it is not obscene or offensive to the public; and
 - e. Any other aesthetic or safety concerns associated with the object or its proposed location.
- IV. The County Administrator may consult with the County's staff and if necessary, the Board of Commissioners in consideration of the applicant's request.
- V. The County reserves the final authority to determine the location, size, material, design and content of the monument and can remove or relocate the monument at anytime for any reason.

DATED this 10th day of May, 2011

Moved by Jim Nekuda, seconded by Jim Thompson, that the above Resolution be adopted. Carried.

YEAS:

Russell

NAYS:

none

ABSENT:

none

Jim Thompson

Tom Hightower

Jim Nekuda

Jim Nekuda

ABSTAIN:

none



Debra Houghtaling
County Clerk

Sarpy County Board of Commissioners

1210 GOLDEN GATE DRIVE
PAPILLION, NE 68046-2895
593-4155

www.sarpy.com

ADMINISTRATOR Mark Wayne

DEPUTY ADMINISTRATOR Scott Bovick

FISCAL ADMIN./PURCHASING AGT. Brian Hanson



COMMISSIONERS

Rusty Hike District 1
Jim Thompson District 2
Tom Richards District 3
Jim Nekuda District 4
Jim Warren District 5

MEMO

May 10, 2011

TO: Sarpy County Board of Commissioners

FROM: Scott Bovick, Deputy County Administrator

RE: Resolution to Adopt Policy Governing Placement of Statues, Memorials, and Works of Art on Public Property

The Board recently directed staff to develop a policy regarding the placement of statues, memorials, works of art, and similar objects on public property. The Board indicated that it wanted a policy that ensures inclusiveness while at the same time has reasonable controls in place.

After reviewing policies from a couple of other communities and a recent U.S. Supreme Court case on the matter, Administration prepared the attached policy which was then reviewed and approved by the County Attorney's Office. Staff believes this policy is not onerous on individuals or organizations that wish to place an object on County property, allows the County to consider aesthetic and safety concerns, and is in line with the guidance provided by the U.S. Supreme Court.

Please let me know if you have any questions. Thank you.


Scott Bovick, Deputy County Administrator

Cc: Deb Houghtaling
Mark Wayne
Nicole O'Keefe