
**VILLAGE OF BEAR LAKE
DONATION ACCEPTANCE POLICY**

I. Introduction/Purpose

The Village truly appreciates the generosity of donors who wish to make Village of Bear Lake a finer community for all.

The purpose of this policy is to establish guidelines, standards and procedures for the acceptance of gifts to the Village, including the installation, long-term maintenance and operation of property donated to the Village. The Village desires to encourage donations while at the same time must consider the aesthetic impacts and on-going maintenance and operational costs of such donations.

Acceptance Guidelines and Standards established by this policy will apply to all donations made after the effective date of this policy.

II. Guidelines

A. Gifts intended to either become incorporated into Village parks as well as gifts of equipment, vehicles, boats or facilities intended to supplement those of the Village often involve considerations of aesthetics, costs, and compatibility whose features shall be evaluated using the following applicable criteria:

1. The Village has an interest in ensuring the best appearance and aesthetic quality of public lands and facilities. Donations and their recognition shall reflect the character and be consistent with the intended surroundings.
2. Since donated property becomes Village property, the Village has an interest in ensuring that the donated property is of sufficient quality to insure a long life, be resistant to weather, wear and tear, and acts of vandalism. In addition, the Village has an interest in ensuring that the short and long-term repair and/or maintenance costs are reasonable and that repair parts and materials are readily available.
3. Does the proposed donation substantially interfere with the intended current or future use of the land or facility where it is being proposed to be located?

4. The uniqueness of the proposed gift and its ability to attract visitors to the Village.
5. Whether the proposed gift requires relocation, removal or installation of other equipment or infrastructure to accommodate the donation.
6. Whether the proposed gift will substantially and negatively impact on the Village's public health, safety and/or welfare.
7. The Village also has an interest in knowing in advance the full cost which may be associated with a gift, namely those which may relate to purchase, installation, maintenance and operation during the gift's expected life cycle. As a result, the following shall apply:
 - a. Neither the purchase nor installation of the gift shall commence until the donor's gift has been completed and funds have been received by the Village for such purposes.
 - b. As to gifts requiring on-going operation and maintenance, the amounts of which are estimated to exceed \$5,000 on an annual basis, the gift shall include an endowment sufficient to defray those costs, i.e., an amount equal to 20 times the estimated annual amounts.
 - c. In rare and unusual circumstances where the Village has determined that the value of the gift substantially exceeds the costs associated therewith, these requirements may be waived, but only after appropriate notice and public hearing.
8. To ensure uniformity of appearance and good taste, the language of any plaque shall be approved by the Village. Donation acknowledgments and memorial plaques shall be made of bronze and be of the highest quality, life and durability. In cases where bronze plaques are not feasible, other alternative types may be considered.
9. In cases of donations to Village parks which may reasonably affect the park or its immediate surroundings, the Village Council shall hold a public hearing for such purpose to invite public comments with respect to the

impact on viewsheds, safety concerns, potential for noise generation, and compatibility with the aesthetic features of the park.

B. Gifts made for programs, sponsorships, renovations, and projects of like nature may also benefit the Village either directly or indirectly. However, in addition to considerations of timeliness, cost and suitability, there may also involve concerns related to the method of conveyance and adequacy of funding. The criteria outlined above (A. 1-9) shall then be applicable where appropriate. In general, categories of acceptable gifts are:

- Cash (and cash equivalents-checks, CDs, savings accounts)
- Marketable securities (publicly traded stocks, bonds, U.S. government securities)
- Tangible personal property
- Life insurance
- Real estate
- IRA rollovers
- Charitable Gift Annuities
- Charitable Remainder Trusts
- Charitable Annuity Trusts
- Charitable Lead Trusts
- Bequests

The Village Council shall exercise caution as to gifts including conditions and carrying costs, and at all times shall ensure itself that the funds provided are sufficient to carry out the intention of the gift and that its purpose is a salutary one.

C. These guidelines shall not be applicable to programs sponsored or approved by the Village existing as of the date of this policy.

III. Installation

If the gift, including donor acknowledgements/memorial plaques, requires any type of installation, the installation shall take place through a contract between the Village and a licensed contractor. The contract shall be drafted by the Village and the terms and conditions of the contract shall be approved by the Village attorney. In certain instances, a performance bond may be required, the costs of which shall be borne by the donor and considered as an additional expense under II A. 7. The installation shall

be completed by a licensed contractor. The licensed contractor shall assume all responsibility for construction or placement of the gift and shall hold the Village harmless for any damages to property or buildings to the extent authorized by law. If installation involves Village personnel and equipment, the Village may require reimbursement for those costs associated with installation. The installation will be scheduled at a time and date as determined by Village personnel so as not to unnecessarily interfere with routine maintenance activities and in a manner that minimizes impacts to the Village. Village personnel shall oversee the installation process to ensure compliance with the proposal.

IV. Removal and/or Relocation

The Village reserves the right to restore, relocate, remove or relinquish donations. This decision shall be made based on the best interests of the Village. This section applies to both existing and new donations.

V. Procedures for Making and Accepting Gifts

The Village Council shall have the full and final authority to approve or deny all gift proposals. To promote an efficient review process, though, as well as to prevent disappointed expectations, prior to preparing a written proposal the donor or donor's representatives shall contact the Village Clerk, or other official designated by the Village Council, to discuss the proposed gift. Such pre-application meeting shall assist both the prospective donor and the Village in determining whether a gift will meet the criteria contained in this policy. Village Clerk, or other official designated by the Village Council, or the Village Council may request additional information including but not limited to scaled drawings, artist's renditions or other documents to better illustrate the exact nature of the donation. The Village may choose to consult with other agencies or organizations in the review process. The Village Council may also send any proposal to any appropriate Council or committee for review with subsequent recommendation to the Village Council.

If a gift appears to be in accordance with this policy, the donor or donor's representative shall then submit a written proposal and meet with Village personnel to determine the specific nature of the donation, proposed location, and yearly maintenance and operational costs for review and processing. The written proposal will then be sent to Village Council for its decision.

This policy was adopted by the BBB Village Council at its meeting held on _____,
2016.

xxx, Village Clerk