



TOWN OF HAYMARKET TOWN COUNCIL

WORK SESSION
~ AGENDA ~

Shelley M. Kozlowski, Clerk of Council
<http://www.townofhaymarket.org/>

15000 Washington St
Haymarket, VA 20169

Monday, May 6, 2019

6:00 PM

Council Chambers

I. Call to Order

II. Agenda Items

1. Town of Haymarket Social Media Policy and Guidelines
2. Town Vehicle Decal Discussion

III. Adjournment

Town of Haymarket Social Media Policy and Guidelines for Official Accounts

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• TOWN OF HAYMARKET SOCIAL MEDIA POLICY & GUIDELINES FOR OFFICIAL ACCOUNTS

I.) Record of Updates

This policy and guidance will evolve as new technologies and social media sites change. Refer to this record of updates section for the latest changes.

- MAY 2019: Policy Adapted

II.) Official Town Social Media Sites

Every day people discuss, debate and engage Town of Haymarket Government in many online conversations. We recognize the vital importance of participating in these conversations and we are committed to ensuring we participate and listen in meaningful ways.

Six philosophies of Town of Haymarket social media:

1. Publish, engage and provide customer service with relevant, timely and actionable information, while promoting core services and key events.
2. Establish our voice to build confidence that we are a trusted source for information, especially during emergencies.
3. Use social media aggressively during emergencies and emerging incidents to empower information ambassadors, gather information and share critical information.
4. Listen to conversations about government services/programs and participate in individual, neighborhood, local, regional, state and/or national conversations.
5. Ensure the security of our social media accounts.
6. Integrate social media with other ways to deliver and share content, such as paid, earned and owned opportunities.

All accounts must follow the requirements outlined in the new social media strategy, including frequency of publishing, satisfaction surveys and setting goals for each year.

A.) Existing Social Media Sites

Departments are encouraged to contribute content to existing town social media sites with existing fan bases in lieu of or in addition to their own presence.

B.) Requesting Facebook

Departments are initially limited to one account on Facebook. It's also preferred if agencies launch one platform at a time. If approved, PIO will create pages with proper settings, look and feel to ensure consistency; transfer administrative rights to the agency; and provide training.

When considering a presence on Facebook, it's important to think about goals, objectives, audiences, differences between Facebook and connections to other town agencies.

C.) Publishing

1. Publishers

At least one public information officer (PIO) from each department will serve as the lead staff person for official town social media sites. The publisher's duties include serving as the lead contact for an account, developing the engagement framework for posting information and responding to comments, adhering to policies, and ensuring the social media site is regularly updated.

Only town staff will serve as publishers; publishers will attend mandatory training sessions. Volunteers, interns, contractors and council/board/authority/commission members are not eligible to administer official accounts.

PIO's Role

The Office of Public Affairs will provide the umbrella framework for the town's social media presence. In this role, PIO will:

- Serve as an administrator of all accounts.
- Coordinate during emergencies.
- Help post if needed.
- Provide feedback and continuous training.
- Provide new guidelines as Facebook changes.
- Amplify presence and information through town wide accounts.
- Include metrics with town stats.
- Request and/or publish messages to all or select social media accounts.

2. Posting Guidelines

Social media content is fleeting because updates compete for attention in personal social media news streams. Official town social media sites need to be clear, precise and follow industry best practices for posting updates. Three tenets town social media publishers must follow regarding the types of content to share:

- Relevant: Information that helps residents and pertains to their daily lives.
- Timely: Information about deadlines, upcoming events, or related to current events.
- Actionable: Information to register, attend, go or do.

3. What Not to Post:

- Information about items in litigation or about claims that could be brought against the town.
- Nonpublic information of any kind.
- Personnel, sensitive or confidential information of any kind.
- Medical information that violates a person's Health Insurance Portability and Accountability Act (HIPAA) protections.

Legal requirements and town guidelines towards the protection of confidential, sensitive, and internal use information still apply.

D.) Links

As an extension of the town's communications platform, social media sites should include links that direct users back to the town's website for more information, forms, documents or online services as necessary

External links to media articles or other relevant content are permitted on official town social media sites to encourage conversation and to share information.

E.) Comments

Comments from members of our community are, of course, welcome on social media sites, but comments must be monitored daily during working hours. Town-created social media forums must be structured to focus discussions on a particular interest of Town of Haymarket rather than creating a "public forum." Town publishers may only remove postings based on the guidelines below, not because a comment disagrees with town policy.

The purpose of this site is to present matters of public interest in Town of Haymarket, including its many residents, businesses and visitors. We encourage you to submit your questions, comments, and concerns, but please note this is a moderated online discussion site and not a public forum.

Once posted, the town reserves the right to delete these kinds of submissions:

1. Vulgar language
2. Personal attacks of any kind that insult, belittle or denigrate others.
3. Comments or content that promotes, fosters, or perpetuates discrimination on the basis of race, creed, color, age, religion, gender, marital status, genetics, status with regard to public assistance, national origin, physical or intellectual disability or sexual orientation or sexual identity.
4. Spam or unrelated links to other sites
5. Clearly off topic
6. Advocate illegal activity
7. Promote particular services, products, or political organizations
8. Infringe on copyrights or trademarks
9. Personally, identifiable medical information
10. Information that may compromise the safety, security or proceedings of public systems or any criminal or civil investigations.
11. Comments by bots, scripts or other methods of automatic posting or reposting.

If there are repeated violations, then Town of Haymarket will ban participation on platforms that permit organizations to ban users. Please note that the comments expressed on this site do not reflect the opinions and position of the Town of Haymarket Government or its officers and employees

Comments that do not meet these criteria should be retained then deleted. Publishers should take screenshots of the original town post and the comment that will be deleted. A description detailing why content was removed or deemed not suitable should be maintained.

Publishers may choose to reply to comments and engage residents in the same way we reply to phone and email inquiries, but business decorum must prevail and factual responses -- not opinions - must be shared. Agency staff monitoring for and replying to comments must coordinate responses with other agencies, if appropriate, so the best response can be provided.

F.) Emergencies and Emerging Incidents

During emergencies or evolving incidents, all social media content and postings must be coordinated with the PIO. Depending on the incident, publishers may be directed to point to specific social media sites that will serve as the main source(s) of information. All incidents evolve over time and the town may need to change how social media assets are being used from strategic and tactical perspectives.

G.) Photo/Video Release Form and Use of Images

When posting images to social media, be sure copyright laws are not being violated. Do not simply search the Internet for an image and use it because that may violate the law.

H.) Embedding Social Content

Social media content such as embedded Facebook posts. may be placed on town web pages. Social media content from select partners such as the state or federal government may be embedded. PIO reserves the right to use agency social media content on town wide web pages, social media sites and other platforms.

I.) Facebook

1. Training

Publishers should attend workshops that covers many Facebook page features.

2. Understanding Publisher and Personal Roles

PIO will grant administrative rights to page publishers. All publishers may use their own personal Facebook profiles to access official town sites (the public will not know publisher identities).

3. Page Settings

When PIO creates a new page, all site features that allow the public to post their own topics, pictures or videos will be disabled. Town Facebook pages are not "open forums" or a place for people to share comments about any topic they choose. Temporary exceptions for restricting the page or a post may be used and granted by PIO in cases of emergencies where situational awareness of an unfolding event would be helpful.

4. Comments

If a Facebook publisher plans to delete a comment, a screenshot of the topic and the comment must be saved for documentation purposes. Please see section E for what can be deleted.

5. External Links

Links to media articles are permitted to generate conversation but vary the sources and limit the number of times external links are shared.

J.) Updating from Mobile Devices

Publishers may use personal mobile devices to update social media through the Facebook. If a publisher loses a personal phone and someone accesses these apps, then an official town resource is at risk. Publishers must protect town information by using a passcode on personal devices. If a publisher loses a phone, PIO and DIT Information Security must be notified immediately and social media administrative rights will be temporarily removed.

K.) Archives and Retention

Communications received through social media are public records that generally should be considered as "correspondence" for the purposes of Virginia retention laws (GS 19 Series 010039). Generally, such social media responses need to be retained as long as administratively necessary before it can be destroyed.

However, there are exceptions to this rule. If an agency specifically solicits public comments or communication relating to a project that is covered by another records retention schedule, then those communications should be retained with that other records series. For example, GS4, Series 010004 directs that Citizen Complaint records be retained for one year after last action. Any "complaints" should be kept for that one-year period. Retention may be accomplished by keeping them online, moving them to an offline repository or printing and filing hardcopies at the discretion of the office.

If an agency is using social media to explicitly collect feedback, that agency must take steps to ascertain the appropriate retention period and retain such records for at least that period of time.

Content submitted on Town of Haymarket Government social media sites for posting that is deemed unsuitable because it is not related to the current subject matter or is considered inappropriate content should be retained (for example, by using screenshots). A description detailing why content was removed or deemed not suitable should be also maintained.

L.) Security

Passwords should maintain complexity requirements and use uppercase letters, lowercase letters, numbers, and special characters. In the event of a compromise, or suspected compromise, passwords should be changed immediately. Credentials to town social media sites should be protected and limited to authorized personnel.

M.) Related Policies

Departments that use social media are responsible for complying with applicable federal, state, and town laws, regulations and policies. This includes adherence to established laws and policies regarding use of town electronic resources, copyright, records retention, Virginia Freedom of Information Act (VFOIA), Virginia Government Data and Dissemination Practices Act, First Amendment, federal and state privacy laws, and Town of Haymarket human resource regulations and information security policies.

III.) Employees and Social Media

Town of Haymarket uses official social media sites to communicate information as outlined in Section I of this policy. Only those employees with administrative access and training may express official town positions or speak as the town through a government social media account.

Employees have access to social media at work and are encouraged to share town information on social media sites as various information technology, human resources and department protocols allow.

Social media sites allow you to interact with others and require careful consideration about the implications of "friending," "liking," "following" or accepting/sending requests. There is the potential for misinterpretation of the relationship or the potential of sharing protected information. Relationships such as supervisor-subordinate and client-patient merit close consideration where a wealth of information can be discovered if access is granted.

Personal Use of Social Media

1. When employees create their own blogs, comment on a blog, contribute to a discussion forum or website, create a Facebook page or LinkedIn profile or otherwise contribute to online discussions, they are impacting their personal image and potentially affecting the Town. A supervisor may require an employee to remove content that violates this policy and may take appropriate disciplinary action if the employee refuses. The posting of content which is contrary to the Town's interest in maintaining the efficiency and effectiveness of the workplace, and the public reputation of the Town of Haymarket may result in immediate disciplinary action.
2. The following rules apply when publishing content online:
 - a. Do not post the Town seal, official badges, patches, emblems, logos, or uniforms since these are protected official images and symbols of the Town unless authorized to do so by supervisor.
 - b. Do not post content that is inconsistent with your duties and obligations as an employee of the Town unless authorized to do so by supervisor. Content that is related to your job responsibilities and which has an adverse effect upon the workplace or your ability to perform your responsibilities may form the basis of an adverse employment action up to and including termination. Employees should be especially sensitive to the potential for the following types of information to adversely affect the public confidence required for their position:

- Provocative or inappropriate photographs or information
 - Content regarding the abuse of alcohol or use of illegal drugs
 - Negative comments about their supervisor, co-workers or clients
 - Discriminatory comments (race, sex, national origin, or religion, for example)
 - Posting confidential or sensitive information obtained in the course of employment
- c. Do not post confidential, sensitive, or copyrighted information to which you have access because of your employment with the Town. Before removing a public record or copy from the workplace, comply with Virginia Freedom of Information Act requirements by identifying the record and asking for a copy from the keeper of the record. Before posting the record, consult with your supervisor to determine whether doing so is consistent with your job responsibilities.
- d. Employees who have responsibility for public safety, public money, valuable assets, people's children, animals, the disabled, or the elderly all depend upon public trust and confidence for the successful performance of their jobs. They should be especially mindful of the potential for their online content to adversely affect their employment.
- e. If you identify yourself as an employee of the Town of Haymarket, then be sure to make it clear that you are expressing your own views and not those of the Town or your Position. Don't give the appearance that you are speaking or acting on the Town's behalf.
- f. If your subordinates are included in your social network, then be sure that your online content, including content you post about yourself and any comments you may make about your subordinates, is consistent with your role as a supervisor.
- g. If your co-workers are included in your social network, then be sure that your content is consistent with Town policy regarding how to treat co-workers. For example, do not post content that would violate the Town's policy against sexual harassment or other discrimination.
- h. Employees may comment on issues of general or public concern (as opposed to personal grievances), including local issues and criticism of local officials and local policies, so long as the comments do not disrupt the workplace, interfere with important working relationships or with efficient work flow, or undermine public confidence in your ability to perform your job. These instances must be judged on a case-by-case basis.

- Matters of public concern are those matters of interest to the community, whether for social, political or other reasons.
 - Employees have a statutory right to participate in political activities while they are off duty, out of uniform and not on the employer's premises. Virginia Code §15.2-1512.2
 - Employees have a statutory right to communicate opinions on matters of public concern directly to state or local elected officials regardless of the impact on the workplace. Virginia Code §15.2-1512.4.
- i. Examples of personal grievances include disciplinary action, work schedule, morale, and complaints about supervisors or co-workers that do not involve actual wrongdoing, illegal discrimination, corruption, or waste. These topics are not protected as matters of public concern. These comments may subject an employee to disciplinary action if they constitute insubordination or if they otherwise violate general rules of conduct.

ORDINANCE TO AMEND SECTION 46-44 OF THE TOWN CODE RELATING TO
MOTOR VEHICLE LICENSE TAX

Ordinance #20190506-1

WHEREAS, The Town adopted by ordinance a motor vehicle license tax prior to 1990, setting annual amounts for the license tax for four categories of motor vehicle, currently codified as Town Code § 46-44, and

WHEREAS, On December 18, 2006, the Town Council adopted a motion to change from an annual license tax to a “permanent decal,” but did not amend Town Code § 46-44, and

WHEREAS, Amendment of an ordinance requires, under Article VII, § 7 of the Constitution of Virginia, a record of the names of each member of council and how they voted, and

WHEREAS, The minutes for December 18, 2006 motion did not record how each member voted, and the notation that there four ayes and two absences does not satisfy Article VII § 7 of the Virginia Constitution as interpreted by the Virginia Supreme Court in *Town of Madison, Inc. v. Ford*, 255 Va. 429, 498 S.E.2d 235 (1998), and

WHEREAS, Virginia Code § 15.2-1427 D. requires that any amendment to or repeal of an ordinance be in the form of an ordinance itself, and

WHEREAS, The above-recited facts and law lead to the conclusion that the December 18, 2006 motion was ineffective in amending or repealing Town Code § 46-44;

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Haymarket, meeting this ___ day of _____, 2019, in _____ session, that the Town Council hereby amends Section 46-44 of the Town Code as follows:

Sec. 46-44. - Amount of tax; refunds.

- (a) On every motorcycle, motor scooter or vehicle of like design, there shall be a tax of \$10.00 ~~for each license year.~~
- (b) On vehicles of firefighters, there shall be no tax.
- (c) On all other motor vehicles, trailers and semitrailers, there shall be a tax of \$15.00 ~~for each license year.~~
- (d) ~~No refund shall be made when an application is made after January 1 of the current license year.~~ All taxes under this Article shall be for a permanent vehicle decal.

THIS ORDINANCE IS EFFECTIVE RETROACTIVELY TO DECEMBER 16, 2006.

Done this ___ day of _____, 2019.
TOWN OF HAYMARKET, VIRGINIA

ATTEST:

Shelley Kozlowski, Town Clerk

Motion to approve:

Second:

Voting Aye:

Voting Nay:

Absent:

Abstaining:

Attachment: Vehicle Decal Ordinance #20190506-1 (4027 : Town Vehicle Decal Discussion)

**Haymarket Town Council
Mayor Pamela E. Stutz
Monday December 18, 2006 7:00 pm continued from December 4, 2006
15000 Washington Street, Suite 100~Haymarket, VA 20169**

Meeting called to order at 7:03 pm

Weir motions to add discussion of utility issues with the JBIII property, 15100 Washington street, to the agenda, Jarboe seconds;

Ayes: 4

Nays: 0

Absent: Shuryn, Vazquez

Cole motions to resolve the attached resolution regarding the Dominion VA Power Transmission lines, Weir seconds

Ayes: 4

Nays: 0

Absent: 0

School Re-districting

The PWC School Board is conducting a re-districting directly affecting the residents of the Town. The Town has unfortunately, already experienced a couple of re-districting in the past. Buckland Mill to Bull Run and a portion to Wentworth Green. The Mayor has received numerous calls and complaints on this issue. The children are now only 1.5 miles from the current middle school. Mayor feels we should support the Greenhill Crossing community in their views about the re-districting.

Cole motions that Councilman Weir represents the Town Council in the opposition of this re-districting and that he draft a letter noting so, Sikorsky seconds;

Ayes: 4

Nays: 0

Absent: Vazquez & Shuryn

Cole motions that the Town will now have a permanent decal with the ARB having the sole discretion of the design of the decal, \$1.00 reissue fee, Sikorsky seconds;

****Clerk to call DMV tomorrow regarding placement of the decal on the state tag.**

Ayes: 4

Nays: 0

Absent: Vazquez & Shuryn

John Stokely representing the Villages of Haymarket Developer
He is here requesting bond release for the subdivision plan.

Weir motions to release the bonds (letters of credit) for the Villages of Haymarket subdivision, Jarboe seconds; Weir amends his motion to reflect the amounts of the letters of credit: \$209,860.02 performance bond and a landscaping bond in the amount of \$43,782.80, Jarboe amends seconds;

Roll Call: Sikorsky-Yes, Cole-Yes, Jarboe-Yes, Weir-Yes

Absent: Vazquez & Shuryn

JBIII

John Foote addresses the utility issues with JBIII and their site at 15100 Washington Street.