

RESOLUTION NO. 16-004

A RESOLUTION AMENDING THE VILLAGE OF THORNVILLE COUNCIL RULES BY CREATING AND ADOPTING A NEW SECTION, SECTION 13.05 (SOCIAL MEDIA GUIDELINE & DISCLAIMER)

WHEREAS, Council for the Village of Thornville has determined it is necessary to amend its Rules by creating a new section to govern social media, as allowed by R.C. 731.45; and

WHEREAS, Council for the Village of Thornville recognizes the importance of communicating with its constituency in all mediums, methods, and manners. As such, Council for the Village of Thornville wants to adopt guidelines to govern the use of social media by individual council members.

NOW, **THEREFORE, BE IT RESOLVED** by the Council of the Village of Thornville, County of Perry, State of Ohio:

SECTION 1: The Rules of the Village of Thornville Council, as adopted on April 9, 2007 and amended from time-to-time thereafter, shall be amended by creating and adopting the following new section, which shall read as follows:

13.05 SOCIAL MEDIA GUIDELINES & DISCLAIMER

Using social media can be a fun and rewarding way to share your opinions with family, friends, co-workers, and constituents. However, the use of social media also presents certain risks and carries certain responsibilities. Council has adopted the following guidelines regarding its members' appropriate use of social media. Noting in these guidelines should be construed or applied to prohibit Council members' state and federal rights.

a. Know and understand the Internet is Permanent; When in doubt do not post
Once information is published online, it becomes part of a permanent record. The internet archives almost everything. Therefore, even deleted posting may be searched and recovered. Ultimately, you are solely responsible for what you post online. Before creating on-line content, consider the risks and rewards that are involved.

b. Be Honest and Accurate
Before posting content or responding to comments, use your best efforts to ensure the information or response is honest and accurate. Accuracy is critical because social media is extremely visible and can be replicated in multiple locations within minutes. Avoid posting any information or rumors you believe are false.

c. Correct Mistakes
If a mistake or inaccuracy occurs, be quick to correct it. Communicate its subsequent correction clearly.

d. Be Considerate
Always be fair and courteous to fellow councilmembers, Village employees, and Village residents. All on-line content should be professional, respectful, and factual. If you decide to post complaints or criticism, do not use statements, photographs, video, or audio that reasonably could be viewed as malicious, obscene, threatening, harassing, or intimidating.

e. Maintain Confidentiality and Privacy
Always maintain the confidentiality of the Village's private or confidential information. Avoid posting information that was discussed in closed session. Avoid posting anything that you would not present in a public forum.

Do not post private or confidential information about fellow Councilors, Village Employees or constituents. Do not post situations involving named, pictured or otherwise identifiable individuals without their permission.

f. Misrepresentation

Express only your personal opinion(s). Never represent yourself as the spokesperson for the entire council or the Village. If the Village, and/or its official business, is the subject of the content you are creating, be clear and open about the fact you are a councilmember, but also make clear that you are not speaking on behalf of Council, any of the Village's committees or departments, or any of the Village's employees.

g. Refer Residents Service Questions to the Proper Individual

When asked a question about Village operations (garbage collection, snow removal, etc.) you should acknowledge the question and refer the resident to the appropriate village staff member. These questions also may be directed to a Village monitored social page.

h. Give Credit Where Credit is Due

When you re-post something written by someone else, you may need permission to do so. If you do, make certain to obtain it. Then, clearly state the material, letter, response, etc. has been authorized by someone else. Do not use copyrights, trademarks, publicity rights, or other rights without the necessary permission of the right holder. Avoid advertisements, sponsorship and endorsements.

i. The Public Records Act and The Open Meetings Act.

Depending upon the content of your social media activity, your on-line content may be subject to Ohio's Public Records Act. If it is, you must adhere strictly to the Village's records retention schedule. Additionally, if your texts, tweets, and posts involve a conversation whereby you are discussing/deliberating the public business with a quorum of council or a committee, it implicates, and violates The Open Meeting Act.

SECTION 2: All prior legislation, or any parts of thereof, which is/are inconsistent with this Resolution is/are hereby repealed as to the inconsistent parts thereof.

SECTION 3: It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that any and all deliberations of this Council and any of its committee that resulted in such formal action were in meetings opening to the public, in compliance with all legal requirements of the laws of the State of Ohio.


SECTION 4: This Resolution shall take effect and be enforced from and after the earliest period allowed by law.

Passed in Council this 24 day of October 2016.

ATTEST



Danielle Lovett, Clerk of Council
Temp.



Gavin Renner, Mayor
Debra Robinson Pro Temp

APPROVED:

Approved as to form this 18th day of August 2016:



Brian M. Zets, Esq.
Village Solicitor