

**BEAVERCREEK TOWNSHIP  
AGENDA PACKET  
REGULAR TRUSTEES' MEETING  
MONDAY SEPTEMBER 28, 2015  
1:00 P.M.**



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**Agenda: Page 2**

**Prescheduled Speaker: Pages 3-4**

- BSA Haunted Classic

**Administrator: Pages 5-6**

- U.S. 35 Support Letter

**Finance: Pages 7-8**

- Biweekly Report

**Human Resources: Pages 9-10**

- Biweekly Report

**Zoning: Pages 11-12**

- Biweekly Report

**Information Technology: Pages 13-15**

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**Road: Pages 16-17**

- Biweekly Report

**Fire: Pages 18-20**

- Biweekly Report

**Legal Advisor: Pages 21-39**

- Records Retention/Public Records Policy Pages 21-29
- Personal Electronic Device Policy Pages 30-39

**Agenda**

**Regular Trustees' Meeting**

**Monday, September 28, 2015, at 1:00 p.m.**

**Community Room Lower Level of Fire Station #61, 2195 Dayton-Xenia Road, Beavercreek, OH 45434**

**Regular Trustees Meeting:**

**Pledge of Allegiance - Moment of Silence**

- Approve Agenda for the September 28, 2015, Meeting
- Approve the September 30, 2015, Payroll in the amount of \$
- Approval of Bills in the amount of \$101,468.29 +

**Prescheduled Speaker:**

- BSA Haunted Classic

**Citizens Desiring to Speak (Each Speaker is Limited to 3 Minutes)**

**Old Business:** None.

**New Business:** None.

**Administrator:**

- U.S. 35 Support Letter
- Greene County Sheriff's Office Report

**Finance:**

- Biweekly Report

**Human Resources:**

- Biweekly Report

**Zoning:**

- Biweekly Report

**Information Technology:**

- Biweekly Report

**Road:**

- Biweekly Report

**Fire:**

- Biweekly Report

**Legal Advisor:**

- Records Retention/Public Records Policy
- Personal Electronic Device Policy

**Trustees:**

**Fiscal Officer:**

- Designate Depositories

**Adjourn**

BSA Haunted Classic Soccer Tournament

October 16-18, 2015

Dear Beavercreek Township Trustees,

Thank you for your time today as I bring to you a request to partner with the Celtic Soccer Club and the Beavercreek community in hosting the 7<sup>th</sup> annual Haunted Classic soccer tournament October 16-18, 2015. Attending the event will be 600 teams that average 15 players per team which means nearly 9,000 soccer players and their respective families will generate an estimated 8 million dollars of commerce to this area. The Haunted Classic is the largest fall U.S. youth soccer tournament being held in this country.

In October 2014 you graciously reduced our tent fees, paying just one tent fee per site, and since we will be utilizing both the Ankeney soccer complex and Hobson Freedom Park, there will be eight tents used for our medical, referee and headquarter services. Your assistance will greatly help reduce our costs to support this effort.

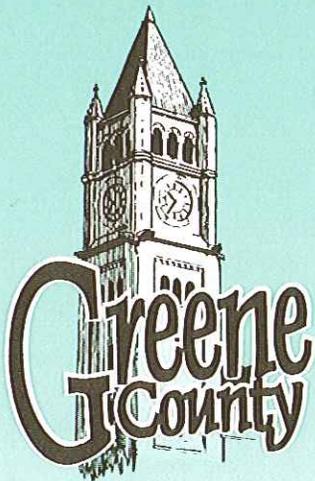
Thank you for your attention to this matter.

Jerold L. Graver

Site Director, Haunted Classic Tournament

BSA Haunted Classic Soccer Tournament

"I make a motion to waive regular tent permit fees for the Haunted Soccer tournament sponsored by the Beavercreek Soccer Association at a rate of \_\_\_\_\_ tents for the cost of one tent at each site."



**Board of Commissioners**

Alan G. Anderson  
Robert J. Glaser, Jr.  
Tom Koogler

35 Greene Street  
Xenia, Ohio 45385-3101

Phone: (937) 562-5006  
Fax: (937) 562-5331  
Administrator: (937) 562-5002  
Clerk: (937) 562-5165  
www.co.greene.oh.us

Ohio Transportation Review Advisory Council  
c/o Mr. Jerry Wray  
1980 West Broad Street  
Columbus, Ohio 45223

September 15, 2015

Re: Improvements to U.S. Route 35 in Greene County

Dear Mr. Wray,

The City of Beavercreek, Beavercreek Township and Greene County would like to jointly endorse the U.S. Route 35 improvement project in Greene County. This project is crucial for the safety of the residents and visitors to the area. This corridor is a key route for businesses that operate or transport goods and services and this project will help facilitate their sustainability and growth.

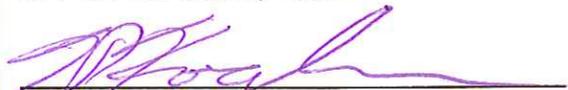
Traffic congestion has increased due to growth in this area and is further hampered by these interchanges. We believe that this project will greatly improve the safety and convenience of travel in the area.

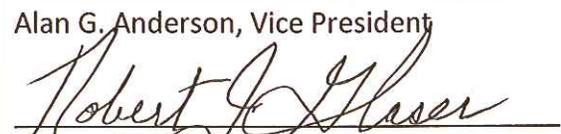
As the Elected Representatives of the citizens in this corridor, we believe these improvements are necessary to protect the public safety and commerce.

Thank you for your consideration.

Respectfully,

**The Greene County Board of Commissioners**

  
Tom Koogler, President

Alan G. Anderson, Vice President  
  
Robert J. Glaser

**The Beavercreek City Council**

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Brian Jarvis, Mayor

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Debborah Wallace, Vice Mayor

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Vicki Giambrone

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Melissa Litteral

---

Jerry Petrak

---

Zach Upton

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Chad Whilding

**The Beavercreek Township Trustees**

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Carol Graff

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Dan Paxson

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Tom Kretz

**BEAVERCREEK TOWNSHIP  
HUMAN RESOURCES DEPARTMENT**

851 Orchard Lane, Beaver creek, Ohio 45434  
Ph: (937) 426-1213 Fax: (937) 306-5150

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**BI-WEEKLY ACTIVITY REPORT**

**September 28, 2015**

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**JOB TASKS:**

1. 5 Workers' Compensation claims for 2015  
3 claims filed in 2014
2. Prepare bi-weekly report
3. Review bills
4. Work with Broker and UHC on wellness incentive and extensive billing issue
5. Work on multiple grievances
6. Work on fire department specific wellness program through new provider
7. Draft management proposals for Xenia Twp
8. Review and send out subpoenas
9. Work on records' requests
10. Calls from employees on wellness initiative
11. Work on hiring
12. Work on handbook
13. Work on employee issue (s)
14. Conduct orientation with maintenance employee

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**MEETINGS AND OTHER ACTIVITIES:**

- Meet with the TA on multiple issues
- Meet with Chief VandenBos on multiple issues
- Attend Staff meeting
- Attend collective bargaining at Xenia Township
- Attend wellness trainings
- Meeting with labor attorney on pending grievance

**Collective bargaining in Xenia Township:**

Negotiations are moving forward. Our second and third sessions occurred on September 16<sup>th</sup> and 22<sup>nd</sup>. I have submitted the first bill for services rendered in the amount of 669.92.

**BEAVERCREEK TOWNSHIP  
FINANCE DEPARTMENT**

851 Orchard Lane Suite C, Beavercreek, Ohio 45434-7220  
Ph.: (937) 429-4472 Fax: (937) 429-5678




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**Bi-Weekly Report  
For the Trustees Meeting held on Monday September 28, 2015  
Activity from September 10 - 23, 2015**

**The Finance Department is responsible for assisting the Fiscal Officer in completing all the duties outlined in Chapter 507 of the Ohio Revised Code.**

**Financial Data:**

All Financial Reports will be e-mailed to elected officials on Monday September 28, 2015 once all the data is finalized and collected for this particular time period, and will include Expenditure Reports, Revenue Reports, Fund Reports and Investment Activity Reports.

**Departmental Activities and Duties:**

- o Processed an additional 11 invoices to be paid at the September 14, 2015 Trustee Meeting.
- o Mailed 71 checks paying 140 invoices at the September 14, 2015 Trustee Meeting.
- o Processed 70 invoices for payment on September 28, 2015.
- o Started the process/research of 4 additional invoices not yet ready for payment.
- o Reviewed the UAN batch reports for the 70 invoices to be paid on September 28, 2015
- o Prepared 3 sales tax exempt forms for vendors
- o Updated driver ID lists for 2 shell fuel accounts
- o Updated authorized user list for Rural King Account.
- o Phone conversations with vendors regarding payments, credits and terms.
- o Sent follow up e-mails for missing or incomplete billing data.
- o Processed Regular Payroll for September 16, 2015.
- o Distributed September 16, 2015 payroll.
- o Reviewed September 16, 2015 Payroll Reports
- o Terminated employee from Life Insurance Policy
- o Processed payroll changes for various employees.
- o Reviewed and forwarded Paycor a letter of notice from the Central Collection Agency in Cleveland Re: City of Union income tax change
- o Met with T. Lohse regarding new hire payroll forms.
- o Met with M. Murphy regarding new hire payroll forms.
- o Created new personnel files for new hires
- o Added new employees to payroll system, Mutual of Omaha and submitted new hire forms to the State of Ohio
- o Submitted IRS SSA-1945 and online application to OPERS for new hire
- o Reconciled and mailed:
  - Ohio Deferred Compensation Statement and Payment.
  - VSP monthly statement and payment

BEAVERCREEK TOWNSHIP  
FINANCE DEPARTMENT

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- AFLAC (traditional policies) statement and payment
  - Received notification and reviewed several upcoming changes/updates to Paycor's payroll system.
  - Preparation of ACA template for phase 2 of account set up for ACA IRS filing compliance and payroll.
  - Phone calls regarding various cemetery questions.
  - Finalized Agenda for the September 14, 2015 Trustee Meeting.
  - E-Mailed request for Agenda Items for the September 28, 2015 Trustee Meeting.
  - E-mailed copier monthly report to Donnellon and McCarthy
  - Processed and balanced leave for all employees.
  - Processed and balanced time sheets for all employees.
  - Processed 33 Receipts and made 8 trips to PNC Bank.
  - Processed and prepared several public records requests.
  - Prepared and processed Cafeteria reimbursements.
  - Prepared and processed electronic funds deposits from Med3000 for ambulance billing.
  - Prepared and processed electronic funds withdrawal from Paycor for payroll.

**Meetings:**

- Attended Trustee Meeting held on September 14, 2015
- Conferences with Paycor on September 11 and September 18, 2015 Re: ACA IRS filing compliance and payroll.
- Attended Budget Hearing held by Greene County Auditor and Greene County Budget Commission on Monday September 21, 2015
- Attended Staff Meeting with Township Administrator/Public Safety Director held on Wednesday September 23, 2015

**BEAVERCREEK TOWNSHIP**  
**ZONING DEPARTMENT**

851 Orchard Lane, Beavercreek, Ohio 45434  
 Ph: (937) 306-0065 Fax: (937) 427-6574



**BI-WEEKLY REPORT**

**FOR THE TRUSTEES MEETING OF MONDAY, SEPTEMBER 28, 2015**

**ACTIVITY FROM THU. SEPTEMBER 10 THROUGH WED. SEPTEMBER 23, 2015**

**PERMITS:** Three permits for single-family dwellings were issued in this period. Other Zoning Actions included one pool/fence permit, one political campaign sign permit, two deck permits, one fence permit, two residential accessory structure permits and one temporary tent permit. To date, single-family dwelling permits are up 103%, and total permits (**now including Park Permits**) are up 57% compared to 2014.

The following chart compares Permits issued **through September 23** this year and last:

	<u>2014</u>	<u>2015</u>
Single family dwellings/driveways	33/32	67/66
Additions	11	2
Fences	16	10
Pools (including fence)	3	8
Signs	5	6
Rights of Way	2	3
Accessory Decks & Covered Patio	7	11
Accessory Structures	11	8
Commercial Structures	0	0
Commercial Addition	1	1
Commercial Accessory Structures	2	2
Temporary Tents (permits/ # of tents)	11/18	7/11
Exemption Certificate s	2	6
Use Compliance Certificates	1	2
Cell Tower Co-location	2	0
Temporary Use Permits (Real Estate Sales)	0	0
Political Signs	1	5
Parks Permits		16
<b>Total (including driveways)</b>	<b>140</b>	<b>220</b>

**PENDING:** One single-family dwelling permit revision, one development access agreement, one re-plat and one preliminary construction plan.

**BEAVERCREEK TOWNSHIP**  
**ZONING DEPARTMENT**

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**MEETINGS/OTHER ACTIVITIES:** (up to 9-18-15. Vacation 9-21,22,23)

1. Continued work on Highway Business District Overlay; several discussions with Township Administrator, follow-up to Stakeholders' meeting of Jul. 8.
2. Responded to follow-up inquiries re: Ohio University/Russ Research Center strategic planning effort. Had extensive conversations with OU planning consultants; conveyed additional documents to OU consulting team; discussed availability of adjacent property with owner and with OU consultant; solicited support for U.S. Rt. 35 project.
3. Consulted with engineer re: revised Record Plan for Bexley Hills 3B.
4. Continued formal training of Zoning Assistant for assumption of new duties (Novak recommendation).
5. Consulted with ODOT Dist. 8 staff and MVRPC staff re: strengthening the Rt. 35 TRAC application. Sent additional requested documentation.
6. Conducted surveillance/inspection of three properties for possible Zoning Violations
7. Attended Trustees' Regular Meeting 09-14-15.
8. Met with Superintendent of Greene County Career Center re: planning/feasibility study, coordination with OU effort and support for U.S. Rt. 35 project 09-15-15
9. Attended RPCC Executive Committee meeting 09-15-15
10. Attended GC Township Assoc. meeting 09-15-15
11. Attended MVRPC Technical Advisory Committee meeting and training workshop. Also consulted with MVRPC staff re: Twp. project on the regional Long Range Transportation Plan (LRTP) 09-17-15
12. Attended MVRPC – TRAC scoring update meeting 09-18-15

**Following are some highlights of additional Zoning tasks performed by Laurie Brown, Zoning Assistant** (tasks outside her job description)

- Issued 15 Zoning Permits.
- Extensive property research and data collection & collation for economic development project; conveyed same to TA and Legal Counsel.
- Assisted in preparation of bi-weekly Departmental Activity Report.
- Issued 4 Park Permits
- Inspected two properties for possible Zoning Violations
- Attended Township Association meeting
- Conducted research regarding PUD build-out in the Township

# BEAVERCREEK TOWNSHIP INFORMATION TECHNOLOGY DEPARTMENT

851 Orchard Lane, Beavercreek, Ohio 45434  
Ph: (937) 306.5049 Fax: (937) 426-8780



## Bi-Weekly Report September 28, 2015 (Report period 15-28 Sep 15)

Trustees,

The following is a brief synopsis of the past two weeks in the IT department. I will be present to answer any questions or concerns you may have.

### IT Projects/Management:

- Upgrade Citrix environment (in-work)
  - Currently working on migrating Pooled and dedicated VM
    - Will need to schedule a weekend for downtime
  - Converting Apps from XenApp servers on old farm to Published app servers on new farm.
    - Having a little difficulty getting FleetMax to work in new environment
  - We will be experiencing a little latency with applications from time to time until we are completely on new farm.
- Research and deploy video conferencing between all Fire Stations (on hold for Citrix Migration)
- Equipment Inventory, Surplus (Gov Deals) and Repurpose IT equipment (hold)
  - Decommission old mail server and domain controller (all 2003 servers)
    - In-Work – Decommissioned old 2003 Mail Server. Sever will be repurposed within the Township
- Hot/Warm site planning, station 64(hold)
  - Move equipment (old SAN and Citrix Host Servers)

### Network Administration:

- OSL routine maintenance
  - Updated employee table to correspond to domain usernames
    - Exchange 2010 server and Message Archiver had to be reconfigured after decommissioning old 2003 Exchange Server.
- Patched /Rebooted servers
- Social Media—Website, Facebook, Twitter, YouTube
  - Website

# BEAVERCREEK TOWNSHIP INFORMATION TECHNOLOGY DEPARTMENT

851 Orchard Lane, Beaver Creek, Ohio 45434  
Ph: (937) 306.5049 Fax: (937) 426-8780



- “New Security Version” Updated TWP and Fire websites to latest version of Drupal
  - Updated Calendar and posted requested news/information items
    - YouTube—Posted 14 Sep Trustees and 22 Sep Special Meetings
    - Facebook/Twitter—Links posted
- Unlocked/Reset created new network accounts
- Latency issue in regards to the Townships public connection (Outside Web Traffic) has been resolved.
  - Still running at advertised speeds.
- Verified Backups are current and running.
- Reviewed Span/Web filters
  - Deleted/Whitelisted domains as appropriate

## Meetings:

- Department heads meeting

## Training:

- None this period

## Miscellaneous / Outages:

- In communications with AT&T for price quote on taking over from Windstream
  - Windstream wants \$69 more a month and a 3 year contract to move fax line from 1981 DX. That is setting line up to remote dial here to Orchard Ln. not physically moving line...
- Public Records Request
  - Retrieved electronic message from Barracuda Archiver to fulfill public records request dated 22 and 24 Sep.

## Awareness Items:

- Latency issues with the virtual environment, should be resolved with completion of migration to new Citrix Pool. Will need one more weekend to migrate the pooled VMs as well as assigned VMs. All servers have been migrated to new pool.
- Looking into monitoring tools to pinpoint bottlenecks...

## Purchases:

- None this period

I look forward to meeting with you at the 28 September meeting and answering any questions/concerns you may have on the preceding information. In the meantime, if you have any questions you can contact me via email or my cell @ 937.212.1379

**BEAVERCREEK TOWNSHIP**  
**INFORMATION TECHNOLOGY DEPARTMENT**

851 Orchard Lane, Beaver Creek, Ohio 45434  
Ph: (937) 306.5049 Fax: (937) 426-8780

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Jeff Terry | Information Technology  
Beaver Creek Township  
937.306.5049

## BI-WEEKLY ACTIVITY REPORT FOR ROAD/MAINTENANCE DEPARTMENT

September 24, 2015

### Calls for Service:

- Flat tire- 30 minutes Fire
- Meeting with HR for new employee- 30 minutes

### Training:

- Allen Stiffler – Is attending continuing EVT training at Fire Academy

### Accomplishment/Information:

- Continued working with International on warranty issue
- Attended Staff meeting
- New employee orientation
- Attended Special Trustees meeting
- Attended 5K run meeting
- Meeting Fire staff on fueling agreement
- Meeting with City staff on implementation of fuel agreement
- Began collecting information need to implement of fuel agreement
- Meeting with Library staff and Cherry tree project staff on Cherry trees at Library
- Coordination meeting with Greene County Sanitary on Factory project
- Meeting with Greene County Soil and Water and resident on water issue on Abby
- Reviewed several driveway permits
- Inspected resurfacing project in Steeple Chase and Stone Hill developments, looking to added more resurfacing due to being under budget
- Checking on developments-
  - Bexley Hills 3A- checking on erosion control issues erosion control issues
  - Spring Ridge 3A- no activity
  - Wood Ridge section 1- continued installation of water lines, detention ponds and pond structures , checking erosion control issue, waterline extension completed
  - Clairborne Greens 2A- installing utilities
  - Clairborne Greens 2B- on hold
  - Liberty Hill section 2- did walk thru with Greene County Engineer's office and Soil and Water for final punch list
- Began Factory Road project
- Continued mowing of Township Facilities
- Began spraying Township Facilities
- Finished patching of Abby Lane, Valley Springs, Sulky Trail and sealing all patches
- Finished round four (4) of right-of-way mowing
- Finished catch basin repair and curb repair on Shepard Road
- Ladder 61- repacked pump, had rear tires replaced, transported to have cables replaced
- Updated pricing for water line- awaiting results and additional pricing- will continue to get additional pricing- **Project on hold till late 3 quarter**

**Awareness Items:**

- Possible funding request or manpower request for creek blockage

**BIWEEKLY ACTIVITY REPORT**

To: **Alex Zaharieff, Township Administrator**  
 From: **David VandenBos**  
 Date: **2015-09-24**  
 Re: **Agenda Items for 28 September 2015 Trustees' Meeting**

Please find documentation for the following Fire Department agenda items for Monday's meeting:

### 1) Bi-weekly department activity report

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#### 1) Bi-weekly department activity report

Provided is a summary of fire department business, challenges, accomplishments, needs and concerns for the previous four weeks:

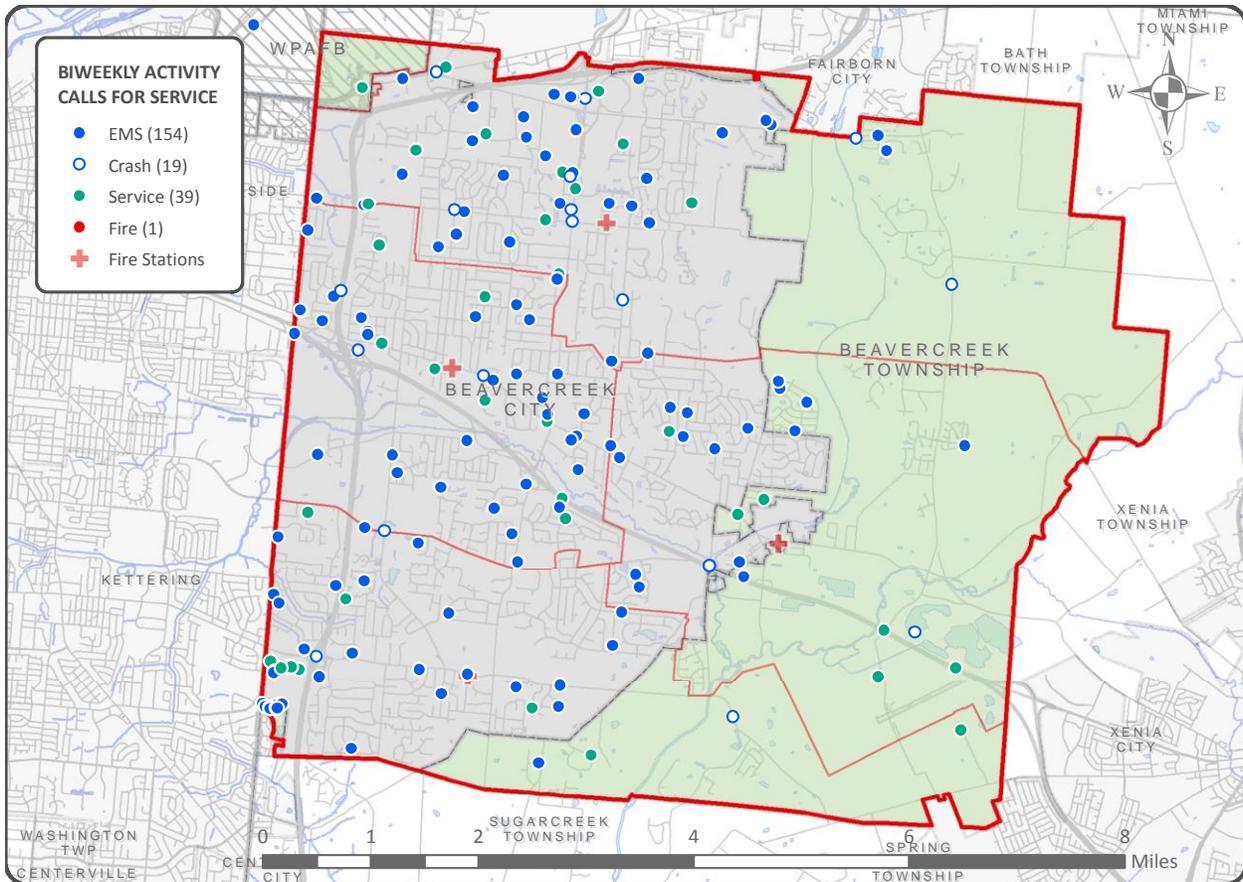
- 1.1) Open Department Meeting:** The fire department's monthly open meeting was held. In addition the normal business, a follow-up discussion regarding the quality control process for incident reporting.
- 1.2) Payroll:** The fire department discovered an FLSA payment error in the OSL system. The error was the result of a system update performed by OSL. It resulted in an FLSA overpayment to 11 employees for approximately \$1,400. The fire department is working with the finance department to correct the payments.
- 1.3) Reporting:** The data source for the primary reports that are produced for the Board were overhauled to provide more accurate, up-to-date information with a minimum of duplicated/redundant effort.
- 1.4) Meeting;** The fire chief met with a candidate for Township office, to answer questions regarding the funding and operations of the fire department.
- 1.5) Auxiliary:** The fire chief and auxiliary commander met to discuss issues regarding the auxiliary, including: CERT training and management for COPP's, additional training opportunities for auxiliary members, meeting schedules and CERT deployment.
- 1.6) CERT Training:** The second Greene County EMA funded and supported CERT class began, with approximately 15 students.
- 1.7) Major Training:** All crews attended annual auto extrication training.
- 1.8) Labor-Management Grievance:** Fire Administration has been preparing to defend the grievance denial in arbitration-if the Union pursues it to that level. The fire chief also provided a written response to another grievance and met with the Union in the oral resolution process for a third grievance (that will likely move to the written process).
- 1.9) Popcorn Festival:** The fire department provided command, operational, fire prevention and public education support to the Popcorn Festival.
- 1.10) Public Outreach:** Over the past four weeks, the crews have participated in the following activities:
  - BTFD: Popcorn Festival
  - Station 61: BHS Medic Standby
  - Station 64: Static Display, birthday party
  - Station 64: Station Tour, Brownie Troop

BIWEEKLY ACTIVITY REPORT

1.11) Activity Summary (previous 2 weeks)

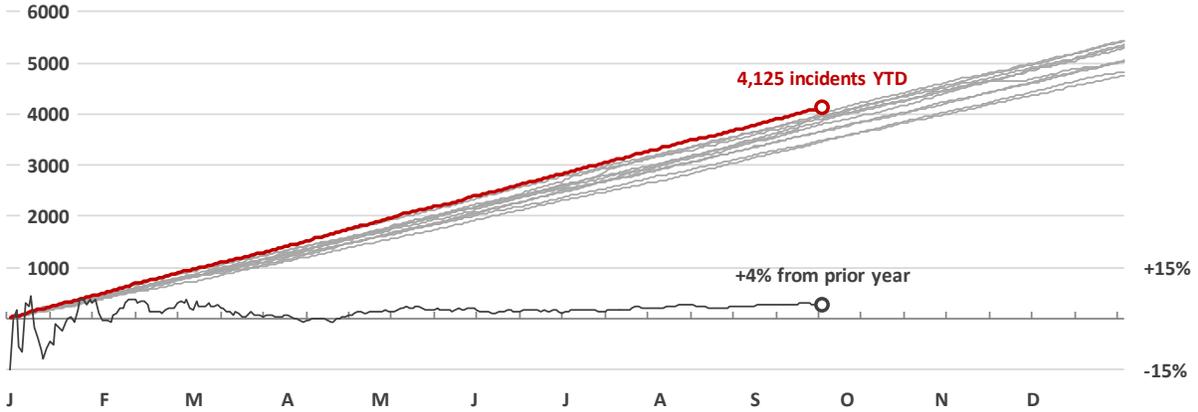
Biweekly Incident Activity Report

Call for Service Type	Biweekly History   Trend   Current	0	100	200	300	10-Year over Year History	YTD   Projected
3: Medical	▼ 158						3,856 3,008 +11%
7: False Alarm	▲ 13	6.1%					439 304 -2%
3: Crash	▼ 19	9.0%					348 257 +4%
6: Good Intent	▼ 14	6.6%					298 236 +14%
5: Service	▲ 2	0.9%					220 139 -6%
4: Hazard	▲ 4	1.9%					139 101 +4%
1: Fire	▲ 1	0.5%					113 64 -16%
2: Explosion	▷ 0	0.0%					10 5 -26%
8: Severe Weather	▷ 0	0.0%					7 5 +26%
9: Special	▼ 1	0.5%					11 6 -30%
<b>Total</b>	▼ <b>212</b>						<b>5,441 4,125 +8%</b>

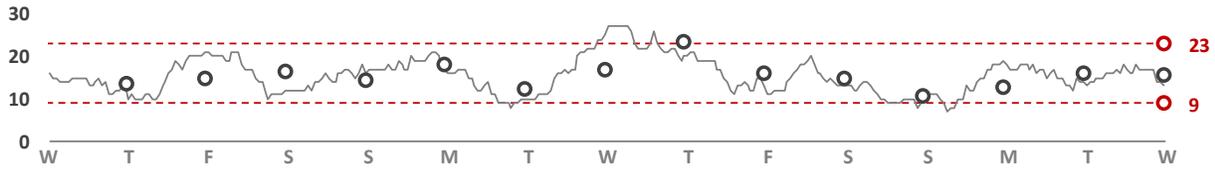


BIWEEKLY ACTIVITY REPORT

4,125 incidents this year is +4% from this time last year



12 hours were busier than usual, and 05 hours were slower than usual.



Biweekly Training Activity Report

Training Type	iweekly History   Trend   Current	0	250	500	750	1,000	10-Year over Year History	YTD   Projected
Firefighting	▼ 64	15.4%					2,670	1,205 -32%
EMS	▲ 12	2.9%					3,247	2,068 -1%
Driver/Operator	▲ 19	4.5%					2,225	433 -71%
Rescue	▼ 277	67.1%					2,822	1,182 -47%
Officers	▲ 1	0.1%					1,338	668 -22%
Daily Drills	▲ 14	3.5%					1,706	566 -52%
Haz-Mat	▼ 7	1.6%					735	151 -68%
Fire Prevention	▲ 0	0.0%					209	120 -18%
Instructors	▶ 0	0.0%					160	153 +70%
NIMS	▲ 20	4.9%					1	420 #####
Dispatch	▶ 0	0.0%					103	33 -51%
<b>Total</b>	<b>▼ 413</b>	<b>100.0%</b>					<b>15,214</b>	<b>6,999 -32%</b>

**BEAVERCREEK TOWNSHIP, GREENE COUNTY, OHIO  
POLICY MANUAL**

**Policy Title:** Public Records/Retention Retention Policy      **Approved:** XXXX

**Section:** I      **Revised:** XXXX

**Number:** 001      **Reviewed:** XXXX

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**PURPOSE:** Beaver Creek Township maintains many records pertaining to the administration and operation of the Township. So as to ensure that all members of the public have access to those records as required by Ohio law, the Board of Trustees of Beaver Creek Township has adopted a Public Records Policy. This policy explains the process by which a person may inspect and obtain copies of those records maintained by Beaver Creek Township which are not exempt from disclosure by Ohio law.

**APPLICATION:** This policy contains specific guidelines applicable to all Beaver Creek Township employees and elected officials.

**REFERENCE(S):** Beaver Creek Township Policy Manual; Ohio Revised Code Sections 149.011, 149.351, 149.381, 149.42, 149.43; Beaver Creek Township Records Retention Schedule

**RELATED POLICY(S):**

**DEFINITIONS:** **Records Custodian-** The records custodian is the person responsible keeping records in the ordinary course of business of the Township. The Township Fiscal Officer is the official Public Records Custodian of all records which are centrally maintained by the Township. Department Heads are the official custodians of all records maintained within their departments.

**Public Records-** The Ohio Public Records Act applies only to “public records,” which the Act defines as “records kept by a public office.” R.C. 149.43(A)(1)

**Public Office-** includes “any state agency, public institution, political subdivision, or other organized body, office, agency, institution or entity established by the laws of this state for the exercise of any function of government.” R.C. 149.011(A)

**Records-** any document, device, or item, regardless of physical form or characteristic, including an electronic record as defined in R.C. 1306.01, created or received by or coming under the jurisdiction of any public office of the state or its political subdivisions, which serves to document the organization, functions, policies, decisions, procedures, operations, or other activities of the office. R.C. 149.011(G)

**Regular Business Hours-** established business hours.

**Cost-** actual cost of making copies, packaging, postage, and any other costs of the method of delivery or transmission chosen by the requester. However, in the event that circumstances make it reasonable for Beaver Creek Township to hire an outside contractor to make copies of requested records, the requester will be charged the actual cost paid to the outside contractor for the copying services. (R.C. 149.43(F)(2)(a)) These circumstances may include but not be limited to a lack of in-house photocopying resources or labor.

**Medical records-** any document or combination of documents that pertain to a patient's medical history, diagnosis, prognosis, or medical condition and were generated and maintained in the process of medical treatment. R.C. 149.43(A)(1)(a); R.C. 149.43(A)(3)

**Attorney-Client Privileged documents-** whenever legal advice of any kind is sought from a professional legal advisor in his or her capacity as such, and the communications relating to that purpose, made in confidence by the client. The privilege applies to records of communications between public office clients and their attorneys. The privilege also applies to documents containing communications between members of a represented public entity about the legal advice given.

## **POLICY:**

### **Section 1.1- Public Records Policy**

It is the policy of Beaver Creek Township that, as required by Ohio law, records will be organized and maintained so that they are made available for inspection to any person at all reasonable times during regular business hours. (R.C. 149.43(B)(1))

Copies will be made available upon request within a reasonable period of time. (R.C. 149.43(B)(1))

A current record retention schedule will be readily available to the public upon request. (R.C. 149.43(B)(2))

## Section 1.2- Exceptions to Public Records

Not all of Beavercreek Township's records are "public records." Certain records are exempt from the Public Records Act. Exempt records include records: (1) the release of which is prohibited by state or federal law, or (2) that are subject to an express exception set forth in Ohio's public Records Act, which may be released only if Beavercreek Township decides to waive the express exception.

Examples of records, the release of which is prohibited by state or federal law, include, but are not limited to, the following:

- Attorney-client privileged information;
- Records of a Certified Public Accountant or public accountant in the performance of an audit of a public office (R.C. 4701.19(B));
- Federal tax returns (26 U.S.C. 6103(a));
- Criminal background information and other law enforcement information on the LEADS/CCH/NCIC computer database (42 U.S.C. 3789g);
- Records that have been sealed pursuant to a statutorily authorized court order (i.e., R.C. 2953.52);
- Peace Officer's home address during the pendency of a criminal case in which the officer is a witness or arresting officer (R.C. 2921.24(A)); and
- Employees' and their family members' records that were created for purposes of the Family Medical leave Act or the Americans with Disabilities Act (29 CFR 825.500(g) and 1630.14(c)(1)).

Examples of records that are subject to an express exception set forth in Ohio's Public Records Act, which may be released only if Beavercreek Township decides to waive the express exception include, but are not limited to the, the following:

- Peace Officer, firefighter, EMT, prosecutor, assistant prosecutor, children's services worker or corrections officer, Residential and Familial Information (R.C. 149.43(A)(7));
- Records that pertain to a patient's medical history, diagnosis, prognosis, or medical condition and that were general and maintained in the process of medical treatment (R.C. 149.43(A)(1)(a));
- Records that contain information that was specifically compiled in reasonable anticipation of, or in defense of, a civil or criminal action or proceeding (R.C. 149.43(A)(1)(g)); and

- Records that pertain to a law enforcement matter of a criminal, quasi-criminal, civil, or administrative nature and that, if released, would create a high probability of disclosing any of the following: (1) the identity of an uncharged suspect; (2) the identity of a confidential source; (3) specific confidential investigatory techniques or procedures; (4) specific investigative work product; or (5) information that would endanger the life or physical safety of law enforcement personnel, a crime victim, a witness, or a confidential source (R.C. 149.43(A)(2)).

The exemptions to the Public Records Act will be narrowly construed by Beaver Creek Township in the favor of disclosure. Beaver Creek Township may seek a legal review prior to determining whether or not an exception applies.

### **Section 1.3- Medical Records and Legal Bills**

Medical records of Township employees shall be maintained by the Human Resource Manager consistent with his or her duties relating to administering Worker's Compensation, Employee Leave, Family Medical Leave Act requests, Americans with Disabilities Act requests and other similar matters. Such records shall be maintained in a separate medical only file for each employee and not as part of the employee's personnel file. Such records shall be maintained as confidential and viewed only by those individuals needed to administer specific requests related to the specific medical record. The Human Resource Manager shall be responsible for the redaction of any medical records that are subject to production under a valid public records request. All medical bills will be sent to the Township Administrator. The narrative portions of itemized medical billing statements to a public office that contain descriptions of work performed are protected, although the portions which reflect dates, hours, rates and amount billed for the services are not protected. Accordingly, the narrative portions of the Township's itemized medical billing statements shall be maintained by the Township Administrator and shall be labeled as "confidential." Such records shall be maintained as confidential and viewed only by those individuals needed to administer specific requests related to the specific narrative portion of such medical bill. The statement of amount owed by the Township and remaining portion of Township medical bills shall be processed for payment and approval by the Board of Trustees and maintained in the manner and location of other financial and billing records of the Township. The Township Administrator shall be responsible for the redaction of any protected information that are subject to production under a valid public records request.

The narrative portions of itemized attorney billing statements to a public office that contain descriptions of work performed are protected by the attorney-client privilege, although the portions which reflect dates, hours, rates and amount billed for the services are not protected.<sup>1</sup> Accordingly, the narrative portions of the Township's itemized attorney billing statements shall be maintained by the Township Administrator and shall be labeled as "confidential attorney-client privilege." Such records shall be maintained as confidential and viewed only by those individuals needed to administer specific requests related to the specific narrative portion of such legal bill. The statement of amount owed by the Township and remaining portion of Township legal bills shall be processed for payment and approval by the Board of Trustees and maintained in the manner and location of other financial and billing records of the Township. The Township

<sup>1</sup> *State ex. Rel Anderson v. City of Vermillion*, 2012-Ohio-5320 (Nov. 21, 2012); *State ex rel. Dawson v. Bloom-Carroll Local School Dist.*, 131 Ohio St. 3d 10, 2011-Ohio-6009.

Administrator shall be responsible for the redaction of any attorney client privileged records that are subject to production under a valid public records request.

## **Section 2. Record Requests**

Public records requests shall be directed to the Fiscal Officer of the Township. The Fiscal Officer shall direct all public records request to the appropriate Department Head or Township Administrator to assist in responding. The Fiscal Officer will notify the Township Administrator of all public record requests and will make available to the Administrator any responses once the request is completed. Each request for public records should be evaluated for a response using the following guidelines:

### **Section 2.1**

Although no specific language is required to make a request, the requested must at least identify the records requested with sufficient clarity to allow this office to identify, retrieve, and review the records. If a requester makes an ambiguous or overly broad request, or has difficulty in making a request for copies or inspection of public records such that this office cannot reasonably identify what public records are being requested, then this office may deny the request. In such case, this office will provide the requester with an opportunity to revise the request by informing him/her of the manner in which records are maintained by the office and accessed in the ordinary course of this office's duties. (R.C. 149.43(B)(2))

### **Section 2.2**

The requester does not have to put a records request in writing, and does not have to provide his/her identity or the intended use of the requested public record. However, the Fiscal Officer may ask for a written request and may ask for the requester's identity and/or intended use of the information requested if (1) it would benefit the requester by helping the public office identify, locate, or deliver the records being sought and (2) the requester is informed that a written request and the requester's identity and intended use of the information requested are not required. (R.C. 149.43(B)(5))

### **Section 2.21**

Beavercreek Township will permit a requester to choose to have the public record duplicated upon paper, upon the same medium which this office keeps it, or upon any other medium which this office determines that it reasonably can be duplicated as an integral part of the normal operations of this office. This office is not required to allow the requester to make the copies of the public record. (R.C. 149.43(B)(6))

### **Section 2.3**

Public records should be available for inspection at all reasonable times during regular business hours. Public records should be made available for inspection promptly. (R.C. 149.43(B)(1))

Copies of records should be made available within a reasonable period of time. (R.C. 149.43(B)(1))

The determination of the terms “prompt” and “reasonable” take into account the volume of records requested; the proximity of the location where the records are stored; and the necessity for any legal review of the records requested.

#### **Section 2.4**

Each request should be evaluated for an estimated length of time required to gather the requested information or documents. Routine requests for records should be satisfied immediately if feasible to do so. Routine requests include, but are not limited to, meeting minutes, resolutions, budgets, etc.

#### **Section 2.5**

Upon request, Beaver Creek Township will provide copies of public records to a requester by U.S. mail or by any other delivery means or transmission that his or her office deems reasonable. (R.C. 149.43(B)(7))

Beaver Creek Township will limit to ten (10) the number of copies of public records provided per month to a requester by U.S. mail, unless the requester certifies in writing that he/she does not intend to use or forward the requested records, or the information contained in them for commercial purposes. (The word “commercial” should be narrowly construed and does not include reporting and gathering news, reporting or gathering information to assist citizen oversight or understanding of the operation or activities of government, or nonprofit educational research.) (R.C. 149.43(B)(7))

#### **Section 2.6**

Any denial of public records requested, in part or in whole, should include an explanation, including legal authority, as to why the request was denied. If the initial request was provided in writing, the explanation for denial will be provided to the requester in writing. (R.C. 149.43(B)(3))

If portions of a record are public and portions are exempt, the exempt portions should be redacted and the rest released. If there are redactions, the Township will notify the requester of any redaction or make the redaction plainly visible. Each redaction should be accompanied by a supporting explanation, including legal authority, as to why the redaction was made. (R.C. 149.43(B)(1) and (2))

#### **Section 2.7**

This office has no duty to provide records acquired after a request for records is complete.

#### **Section 2.8**

It is the responsibility of the Fiscal Officer to contact the appropriate custodian for the requested record. That Township employee shall provide such record(s) to the Fiscal Officer for production.

## **Section 3- Payment for Public Records Requests**

### **Section 3.1**

The charge for paper copies is \_\_\_\_ cents per page. The charge for downloaded computer files to a compact disc is \$\_\_\_\_ per disc. There is no charge for documents e-mailed.

### **Section 3.2**

Beavercreek Township may require a requester to pay in advance the cost involved in providing the copy of the public record, as requested. (R.C. 149.43(B)(6)). Beaver Creek Township has no duty to provide copies of public records free of charge to someone who indicates an inability or unwillingness to pay for them.

### **Section 3.3**

Upon request, this office will provide copies of public records to a requester by U.S. mail or by any other delivery means or transmission that Beaver Creek Township deems reasonable. Beaver Creek Township may require such a requester to pay in advance the cost of postage or costs incurred for other supplies used in the mailing, delivery, or transmission. (R.C. 149.43(B)(7))

### **Section 3.4**

There may be instances when Beaver Creek Township may be able to provide copies made in-house without disrupting its normal functions, but only over an extended period of time. In that instance, Beaver Creek Township may offer the requester the options of (1) having the documents produced through a faster method by employing temporary personnel and equipment; (2) using an external private contractor; or (3) having the documents produced in-house by this public office's normal staff and equipment in a less efficient and more time-consuming manner.

## **Section 4. E-Mail**

Documents in electronic mail format are records as defined by the Ohio Revised Code when their content relates to the business of the office. E-mail is to be treated in the same fashion as records in other formats and should follow the same retention schedules.

### **Section 4.1**

Beaver Creek Township discourages the use of private e-mail accounts to conduct public business. Records in private e-mail accounts used to conduct public business are subject to disclosure, and all employees, elected officials or representatives of Beaver Creek Township are instructed and required to retain their e-mails that relate to public business and to copy them to their business e-mail accounts and/or to the appropriate Beaver Creek Township records custodian.

### **Section 4.2**

The Fiscal Officer is to treat the e-mails from private accounts as records of the public office, filing them in the appropriate way, retaining them per established schedules and making them available for inspection and copying in accordance with the Public Records Act.

## **Section 5. Text Messages and/or Instant Messages**

Text and/or Instant messages would be “public records” if they are created or received by or coming under the jurisdiction of the public office, and serve to document the organization, functions, policies, decisions, procedures, operations, or other activities of the office.

### **Section 5.1**

Beavercreek Township discourages the use of private cellular phone and personal electronic devices and text and/or instant messaging to conduct public business. Records in private cellular phone or other personal electronic device accounts used to conduct public business are subject to disclosure, and all employees, elected officials or representatives of Beavercreek Township are instructed and required to retain their text or instant messages that relate to public business and to copy them to a printable format and forward them to the appropriate Beavercreek Township records custodian.

### **Section 5.2**

The Fiscal Officer is to treat the text and/or instant messages from private accounts as records of the public office, filing them in the appropriate way, retaining them per established schedules and making them available for inspection and copying in accordance with the Public Records Act.

## **Section 6- Records Retention and Disposition**

Records of a public office may be destroyed, but only if they are destroyed in compliance with a properly approved records retention schedule. R.C. 149.351. If public records are properly disposed of in accordance with a duly adopted records retention policy, there is no entitlement to those records under the Ohio Public Records Act. However, if the retention schedule does not address the particular type of record in question, the record must be kept until the schedule is properly amended to address that category of records. Also, if a public record is retained beyond its properly approved destruction date, it keeps its public record status until it is destroyed and is thus subject to public records requests.

### **6.1- Records Retention Schedule**

Beavercreek Township shall maintain a copy of the Township’s current records retention schedules at a location readily available to the public. R.C. 149.43(B)(2).

### **6.2- Township Records Commission**

The Township records commission, composed of the chairperson of the board of township trustees and the fiscal officer of the township, shall meet at least once every twelve months and upon the call of the chairperson. R.C. 149.42.

The function of the commission shall be to review applications for one-time disposal of obsolete records and schedules of records retention and disposition submitted by township offices. The

commission may dispose of records pursuant to the procedure outlined in section 149.381 of the Revised Code and consistent with the Beaver Creek Township Records Retention Schedule. The commission, at any time, may review any schedule it has previously approved and, for good cause shown, may revise that schedule under the procedure outlined in that section. R.C. 149.42.

FORMS: N/A

DRAFT



**BEAVERCREEK TOWNSHIP, GREENE COUNTY, OHIO  
POLICY MANUAL**

**Policy Title: Electronic Device Policy**                      **Approved: XXXX**  
**Section: I**    **Revised: XXXX**  
**Number: 001**    **Reviewed: XXXX**

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**PURPOSE:** While electronic devices are useful and convenient tools for Township employees and officials, electronic devices can be a source of distraction for others and a potential temptation towards unethical behavior when used inappropriately and/or unprofessionally during work hours.

The purpose of this policy is to set some basic guidelines for the use of Township and personal electronic devices, as well as encouraging the professional and respectful use of these devices and ensuring the security of the Township’s network system.

**APPLICATION:** This policy contains specific guidelines applicable to all Beaver Creek Township employees and elected officials.

**REFERENCE(S):** Beaver Creek Township Handbook

**RELATED POLICY(S):** Public Records/Records Retention Policy

**DEFINITIONS:** Social media- any website or online medium that allows for communication in the open. Social media is typically accessible by computer, phone, PDA, or other device through the internet, another communication network, or other mode of communication. The types and use of social media are expanding rapidly, and this policy is intended to cover future forms of social media.

Personal Electronic Devices- electronic, portable, entertainment, communication and/or information storage devices. These devices include, but are not limited to the following:

- Cellular phones/smart phones (Blackberry, Android, iPhones, etc.)
- Tablets (iPads, Kindle, etc.)
- Laptop and handheld computers
- Media players (includes MP3 players, iPods, iPads, audio & video players, etc.)
- Audio and Video recorders

## POLICY:

**1.0 Computer Usage****1.1 Scope**

This Policy applies to all employees, officers, volunteers, contractors, consultants, temporary employees, students, and others at Beaver Creek Township, including all personnel affiliated with third parties who have access to computer equipment's or information systems that are owned, leased or controlled by Beaver Creek Township. (All such individuals are referred to as "staff").

The Township computers and computer information systems covered by this Policy (collectively referred to as the "Township system") include, but are not limited to, host computers, file servers, workstations, computer hard drives, stand-alone computers, laptops, software and software programs, internal and external communication networks (internet, commercial on-line services, bulletin board systems, e-mail systems and voice mail systems) that are accessed directly or indirectly, and all information entered, maintained or stored on or deleted from the Township system.

All electronic mail [e-mail] messages, voice mail messages and all other information contained in Beaver Creek Township's computer and information systems (all of which shall be referred to as "information systems") are the property of Beaver Creek Township, provided at Beaver Creek Township's expense, to assist in *Township* business. All use is subject to monitoring.

- A) All e-mail correspondence is the property of the *Township* and is for business purposes only.
- B) *Employee* e-mail communications are not considered private despite any such designation either by the sender or the recipient.
- C) Messages sent to recipients outside of *Township*, if sent over the Internet and not encrypted, are not secure. The IT Department is not liable for not encrypting email messages sent or received.
- D) The *Township* will monitor its e-mail system, including an *Employee's* mailbox, at its discretion in the ordinary course of business. Please note that in certain situations, the *Township* may access and disclose messages sent over its e-mail system.
- E) The existence of passwords and "message delete" functions do not restrict or eliminate the *Township's* ability or right to access electronic communications. The delete function does not eliminate the message from the system.
- F) *Employees* shall not share an e-mail password, provide e-mail access to an unauthorized user or access another user's e-mail box without authorization.
- G) Offensive, demeaning or disruptive messages are prohibited. This includes, but is not limited to, messages that are inconsistent with *Township's* policies concerning "Equal Employment Opportunity" and "Sexual Harassment and Other Unlawful Harassment."
- H) Global e-mails (i.e. those addressed to Beaver Creek Township Administration or the like) require prior approval by your *Supervisor*.

- I) The *Township's* network, including its connection to the Internet, is to be used for business-related purposes only and not for personal use. Any unauthorized use of the Internet is strictly prohibited. Unauthorized use includes, but is not limited to, connecting, posting or downloading pornographic materials, gambling sites, hate sites, engaging in computer-"hacking", and other related activities attempting to disable or compromise the security of information contained on the *Township's* computers, or otherwise using the *Township's* computers for personal use.
- J) All employees have the responsibility to use the *Township* system in an ethical and lawful manner. This includes abiding by all applicable laws concerning privacy, defamation, copyrights and other intellectual property rights, and complying with all applicable software licenses. Employees may not use the Internet in any way that could expose the *Township* to liability or embarrassment, or other legal or commercial harm.
- K) Because postings placed on the Internet may display the *Township's* address, make certain before posting information on the Internet that the information reflects the standard policies of the *Township*. Under no circumstances shall information of a confidential, sensitive, or otherwise proprietary nature be placed on the Internet.
- L) Subscriptions to news groups and mailing lists are permitted when the subscription is for a work-related purpose. Any other subscriptions are prohibited.
- M) Information posted or viewed on the Internet may constitute published material. Therefore, reproduction of information posted or otherwise available over the Internet may be done only by express permission from the author of the copyright holder.
- N) Unless the prior approval of management has been obtained, users may not establish Internet or other external network connections that could allow unauthorized persons to gain access to the *Township's* systems and information. These connections include the establishment of hosts with public modem dial-ins, World Wide Web home pages and File Transfer Protocol (FTP).
- O) All files downloaded from the Internet must be checked for possible computer viruses. Any file (including email) with a virus attachment will be quarantined or deleted at the discretion of the IT Department.
- P) Offensive, demeaning or disruptive messages are prohibited. This includes, but is not limited to, messages that are inconsistent with any *Township* policy.
- Q) The use of USB "thumb drives", or other removable storage drives (including but not limited to floppy drives or any external media) to add/remove/transfer files from the *Township's* computer system is prohibited without expressed permission from the IT Department AND a Supervisor. Special projects or job functions requiring the use of thumb drives will be reviewed on a case by case basis. (This does not apply to IT administrators or their assistants).
- R) Non-*Township* computers are required to access through the Township approved gateway. All access will fall under all other requirements contained herein.
- S) The playing of non-work-related media (DVD movies, CD music, etc.) on any *Township* computer is strictly prohibited.

- T)** The "burning" of CD & DVD copies of *Township* documentation is permissible when approved by a Supervisor and/or the *Township's* IT Department.
- U)** "Online Chat" or instant messaging of any kind is strictly prohibited on any *Township* computer (This does not apply to IT administrators or their assistants.)
- V)** Updated website "blacklists" are dynamically managed based on the needs and threats of the internet and *Township Employees*.
- W)** All computers on the *Township's* computer network shall be part of the *Township's* logical domain or subsequent domains within active directory (AD). All computers will have current anti-virus software as dictated by the IT Department and loaded upon it a standard suite of software to include word processing, spreadsheet, and Records Management software. All other software shall be dictated by Supervisors and job function.
- X)** *Township* provided internet use is to be used for official business use, research, and education only during business hours. During non-business hours or scheduled breaks, the internet may be used to check personal e-mail or visit websites that do not contradict *Township* policies.
- Y)** Software or hardware may only be installed on *Township*-owned computers by the IT Department or the IT Division of each respectable department. Due to the complexities of current enterprise networks and the security policies that must be maintained on them, all software installations must be scheduled for lab testing. In addition, all licensing requirements of the software must be purchased in time for production implementation (demo copies may be used during lab trials or beta testing). The IT Department will maintain all licensed copies of software in its archive. The installation or use of games or entertainment software on any *Township* computer is strictly prohibited.
- Z)** Any unauthorized hardware, software or software program found within the Township computer system is subject to immediate deletion without any liability to Township. The Township system is not for personal use. Employees may not use the Township system for the preparation, transmission or storage of non-township commercial or personal advertisements, solicitations, promotions, destructive programs, political material or any other personal matter, without the prior written permission of the employee's Department Head and the Township Administrator.
- AA)** Wireless Access Points (APs) or other 802.1x compliant devices are not permitted on the *Township* computer network without approval by the IT Department.
- BB)** Virtual Private Networking (VPN) access provides secure remote access into the *Township's* internal network. VPN's are permitted by Supervisors or their designee based on job function and services needed. The IT Department reserves the right to disallow VPN access based on security, policy, and bandwidth management.
- CC)** Each *Township Employee* is permitted a "My Documents" folder stored on a server and accessible on their respective workstation. The *Township* shall restrict the size of the "My Documents" folder based on current finite space limitations of storage servers in service. The "My Documents" folder can only be accessed by the user;

sharing of the "My Documents" folder is not permitted with other users. Please use shared folders or a documents library for such functionality.

**DD)** The *Township* maintains public folders on the storage server for sharing documents between multiple users and groups. Permissions for access to shared folders will be maintained by the IT Department and is dictated by job function. Supervisors may request changes to group membership based on job function and personnel.

**EE)** SharePoint services (or an equivalent) shall be used as the primary means of sharing information between three or more individuals for inter- and intra-departmental business operations. Supervisors may designate personnel to manage SharePoint sites and services.

**FF)** Authorization, authentication and access control on the *Township's* computer network is dictated by the IT Department using current standards for use (username/password, smartcards, etc.).

**Any *Employee* who violates this policy shall be subject to *discipline*, up to and including discharge.**

## 2.0 Social Media Usage

### 2.1 Scope

The following are current examples of social media:

- A) social networking and news sites (e.g., Facebook, Instagram, Twitter, LinkedIn, SnapChat);
- B) video, photo, and other digital image sharing sites (e.g., YouTube, Flickr);
- C) chat or discussion sites, bulletin boards, and online encyclopedias (e.g., Yahoo comment sites, Google Groups, Wikipedia); and
- D) blogs and websites.

This policy applies to all Township *Employees* who use social media at any time which includes non-work activity. The policy applies, therefore, to *Employees* while they use social media in a personal capacity away from work, on their own time, or with their own personal computers.

The Township fully respects all *Employees'* free speech and other legal rights, including the right to comment on matters of public concern, and their legitimate need for privacy. As a result, in general, what an *Employee* does on their own time is their affair. However, there are some *Employee* activities that can adversely affect the Township's legitimate interest in delivering efficient, effective government services, or can disrupt the workplace, regardless of whether an *Employee* pursues the activity at work or during non-work time.

An *Employee's* communication through social media is open to the public without any geographic or time restrictions. What an *Employee* says can be seen worldwide almost instantly. Copies of what is said may be automatically retained for many years in countless computers and computer servers.

Even when access to social media is limited or restricted, such as where an *Employee* restricts access to all or part of his or her Facebook page messages or communicates in a password-

protected chat room, the communications are still not private. They are not well protected from outsiders; nothing on the internet is truly private.

Further, they are not effectively protected from automatic copying on the Facebook pages or computers of the recipients who the *Employee* authorized to receive his or her communications. These communications can then be viewed on the recipients' Facebook pages by third persons unknown to the *Employee*, who have been authorized to communicate with the recipients.

Many people now use Facebook and similar social media instead of email as their standard method of electronic communication. These communications are particularly vulnerable and not private. In short, what an *Employee* publishes through social media, including what an *Employee* wants to be seen by only one other person, is, in fact, widely accessible and can be copied and distributed to an unlimited number of readers.

To that end, *Employees* are asked to consider the following suggestion: Use good judgment when using social media. Remember that whatever is published may be seen by a large viewing audience. Once a statement or other material has been posted online, it cannot be taken back if you later decide it was a mistake. So, before any information is communicated or otherwise published through social media, consider the content carefully and be sure the information is accurate.

The following are more specific rules concerning an *Employee's* personal use of social media to the extent it relates to the Township:

- A. An *Employee* is prohibited from personal use of social media during working hours (except personal time such as breaks, lunch or evenings) or with Township equipment. The Township's computer system and access to the system are provided to *Employees* to assist them in the performance of their jobs.
- B. An *Employee* shall not disclose confidential, proprietary information belonging to the Township. This includes confidential information that an *Employee* received or learned about for purposes of performing job duties with the Township.
- C. An *Employee* shall not post material that is threatening, harassing, obscene, or defamatory about the Township or its *Employees*, contractors, or citizens.
- D. An *Employee* shall not post or publish defamatory statements or material that they know or reasonably should know, to be false about the Township or its *Employees*, contractors, citizens, or services.
- E. An *Employee* shall not use social media in a way that would violate published Township policies concerning Equal Employment Opportunity, Harassment, Work Place Violence, Confidential Information, and Ethics and Standards of Conduct.
- F. An *Employee* shall not use any logo, trademarks, equipment or gear of the Township.
- G. When an *Employee* identifies themselves online as a Township *Employee*, or refers to the Township or its *Employees*, services, or products, or provides a reference that could be interpreted to be from a member of the Township, the *Employee* shall include a disclaimer that the statements and personal opinions have not been reviewed or approved by the Township.

If an *Employee* has a question about whether an activity he or she is considering would violate this policy, the *Employee* is encouraged to contact the Human Resources Manager, who will help the *Employee* obtain guidance or clarification. Any known or suspected violations of this policy shall be reported to the Human Resources Manager. The Township reserves the right to monitor *Employee* use of social media during work and non-work time. An *Employee* who violates this policy will be subject to disciplinary action up to and including discharge.

Only the Township Administrator is permitted to speak to any member of the media. Any other *Employee* must have approval of the Township Administrator or a department head.

### **3.0 Wireless equipment use policy**

The purpose of the policy is to set guidelines for the use of *Township* owned and/or operated wireless equipment. Department Heads shall dictate the use of wireless network equipment for their *Employees* or business operations with approval by the Beaver Creek Township Trustees. Land Mobile Radio (LMR) systems **do not fall under** this policy.

#### **3.1 Responsibility and Authority**

The Supervisor shall be responsible for:

- A. Determining *Employee*, project or group need for *Township* wireless equipment;
- B. Reviewing *Employee* usage of wireless equipment;
- C. Ensuring that *Employees* of Beaver Creek Township comply with the provisions of this policy.
- D. Periodically reviewing the wireless equipment needs for their department and request such equipment if needed;
- E. *Employees* issued *Township* wireless equipment are responsible for the equipment's safe keeping and are, therefore, responsible for any loss or damage to the wireless equipment issued to them;
- F. When an *Employee* no longer requires *Township* wireless equipment to perform his or her job functions or when an *Employee* is terminated, he or she must return all *Township* wireless equipment;

### **4.0 Cellular phone usage**

Personal calls and text messaging during the workday can interfere with employee productivity and be distracting to others. Therefore, you should limit the use of your personal cell phone to break and meal periods. The Township will not be liable for the loss of personal cell phones brought into the workplace.

#### **4.1. Ring Tones**

All cellular communication device ringtones should be set at a reasonable volume within Township buildings and in the silent or vibrate mode while in Township meetings and training sessions. No cellular communication device should be used during Township meetings and training sessions unless it is absolutely necessary, and if so, the employee must step outside the room to use the device.

#### **4.2 Safety Issues for Cell Phone Use**

Employees whose job responsibilities include are expected to refrain from using their phone (including text messaging) while driving. Safety must come before all other concerns. If you are

charged with traffic violations resulting from the use of a cell phone while driving you will be solely responsible for all liabilities that result from such actions.

### 4.3 Monthly Remuneration

The Board of Trustees may approve the use of personal cell phones for work related purposes. Accordingly, *Employees* with this approval will be given a monthly remuneration as determined by the Board of Trustees.

Each *Employee* who is approved by their Supervisor to be given a monthly remuneration as mentioned above is required to submit a copy of the first page of their cell phone billing statement outlining their costs to the Fiscal Officer each month.

### 5.0 Use of Personal Electronic Devices

This policy is intended to protect the security and integrity of Beaver Creek Township's data and technology infrastructure. Limited exceptions to the policy may occur due to variations in devices and platforms.

Township employees must agree to the terms and conditions set forth in this policy in order to be able to connect their devices to the company network.

#### 5.1 Acceptable Use

- A. The Township defines acceptable business use as activities that directly or indirectly support the business of the Township.
- B. Employees are blocked from accessing certain websites during work hours/while connected to the Township network at the discretion of the Township.
- C. Devices' camera and/or video capabilities are/are not disabled while on-site.
- D. Devices may not be used at any time to:
  - a. Store or transmit illicit materials
  - b. Store or transmit proprietary information belonging to another Township
  - c. Harass others
  - d. Engage in outside business activities
- E. Employees may use their mobile device to access the following Township-owned resources: email, calendars, contacts, documents.
- F. The Township has a zero-tolerance policy for texting or emailing while driving and only hands-free talking while driving is permitted.
- G. Devices must be presented to IT for proper job provisioning and configuration of standard apps, such as browsers, office productivity software and security tools, before they can access the network.

#### 5.2 Security

- A. In order to prevent unauthorized access, devices must be password protected using the features of the device and a strong password is required to access the Township network.
- B. Employees' access to Township data is limited based on user profiles defined by IT and automatically enforced. The Personal Device has to meet the minimum technical standards, including operating system/firmware (collectively, the "Minimum Standards"), defined by the IT Department from time to time and must be inspected by the IT Department at the time of configuration for access to the Township Network. The

employee will be responsible for ensuring that the Device continues to meet the Minimum Standards while the Device has access to the Township Network.

- C. If the employee accesses the Township network from his/her personal electronic device, the employee's device may be remotely wiped if 1) the device is lost, 2) the employee terminates his or her employment, 3) IT detects a data or policy breach, a virus or similar threat to the security of the Township's data and technology infrastructure.

### 5.3 Risks/Liabilities/Disclaimers

- A. While IT will take every precaution to prevent the employee's personal data from being lost in the event it must remote wipe a device, it is the employee's responsibility to take additional precautions, such as backing up email, contacts, etc.
- B. The Township reserves the right to disconnect devices or disable services without notification.
- C. Lost or stolen devices must be reported to the Township within 24 hours. Employees are responsible for notifying their mobile carrier immediately upon loss of a device.
- D. The employee is expected to use his or her devices in an ethical manner at all times and adhere to the Township's acceptable use policy as outlined above.
- E. The employee assumes full liability for risks including, but not limited to, the partial or complete loss of Township and personal data due to an operating system crash, errors, bugs, viruses, [malware](#), and/or other software or hardware failures, or programming errors that render the device unusable.
- F. The Township reserves the right to take appropriate disciplinary action up to and including termination for noncompliance with this policy.
- G. Employees and officials should have no expectation of privacy with any electronic message created or received on Township technology. Electronic messages concerning Township business that employees and officials create, receive, or store on personally owned technology are public records and are subject to the Township Public Records Policy. Therefore, employees and officials should have no expectation of privacy with any Township business related electronic message created or received on personal technology.
- H. By receiving access to the Township Network with a Personal Device, the employee agrees to be subject to and comply with all applicable Township rules, regulations, and policies; including the security and other usage guidelines set forth herein. Township reserves the right to modify all such rules, regulations and policies from time to time in its sole discretion.

## 6.0 Telephone and Facsimile Machine Usage Policy

### 6.1 Purpose and Scope

This policy establishes guidelines for the appropriate usage of telephone equipment owned by Beaver Creek Township (the *Township*), and outlines the expected recourse for documented misuse of such property and services. It applies to anyone using Township equipment, regardless of the user's location. Equipment covered by this policy includes traditional wire line telephones and facsimile machines.

## 6.2 Phone Use

The *Township's* telephone systems are available for the conducting of official *Township* business, in the direct support of assigned duties and responsibilities of users, and the delivery of *Township* services. Desk telephones are provided to enable staff members to perform their duties and to conduct the business of the *Township*.

The *Township* recognizes that, from time to time, *Employees* may need to contact family during the work day. It is expected that these calls will be brief and *Employees* should use their discretion.

*Employees* shall exercise common sense and good judgment in the personal use of telephone equipment. Such personal use shall be reasonably brief and infrequent in nature, shall not adversely affect the work performance of the *Employee* or those of the *Employee's* co-workers, and shall not create the appearance of impropriety. Personal calls should be made during an *Employee's* break or lunch hour.

FORMS: N/A