

RESOLUTION NO. 2025-04

A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF MOFFAT, COLORADO ADOPTING A SOCIAL MEDIA AND SOCIAL NETWORKING POLICY FOR THE TOWN OF MOFFAT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Moffat recognizes the growing role of social media and social networking in facilitating communication and engagement with residents, businesses, and visitors; and

WHEREAS, the Town of Moffat aims to utilize social media to further the goals of town departments, promote transparency, and enhance communication with the public; and

WHEREAS, to ensure appropriate and effective use of social media by Town employees and departments, a comprehensive policy is necessary to establish guidelines for personal and professional use of social media platforms.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Town of Moffat, Colorado:

SECTION 1. Purpose

The purpose of this Resolution is to define the social networking and social media policy for the Town of Moffat, hereafter referred to as "the Town." This policy addresses the evolving role of the internet and social media in public communication and ensures appropriate and effective use of these platforms by Town employees, departments, and officials on behalf of the Town.

SECTION 2. Scope and Applicability

This policy applies to all Town elected officials, employees, and any agency, or individual engaged in official business on behalf of the Town who use social media for professional purposes, including those managing official Town social media accounts.

SECTION 3. Social Media Use for Official Business

1. **Official Accounts:** Only individuals authorized by the Town may publish content to the Town's official social media platforms or remove content from the Town's official social media platforms. All social media content must remain professional, aligned with the Town's communications practices, and comply with all relevant regulations.
2. **Content Standards:** All content posted to official Town social media profiles must be clear, concise, and follow best practices for public communication. Content should aim to:
 - Provide information about town services and events.

- Encourage community engagement and participation.
- Support promotional campaigns and recruitment efforts.
- Frame public conversations in alignment with Town values.

3. **Use of Social Media for Official Business:**

- Posts should be free of political endorsements or partisan views.
- Social media should not be used for private commercial transactions or private business activities.
- Inappropriate use of social media may result in disciplinary action (see section 10).

SECTION 4. Personal Social Media Use

1. **Personal Accounts:** Employees shall not use their Town email account or credentials for personal profiles.
2. **Separation of Personal and Professional Views:** Employees should be mindful of the distinction between personal and professional views, especially when discussing issues that relate to the Town.
3. **First Amendment Considerations:** While employees have a First Amendment right to comment on matters of public concern with their personal accounts, posts related to employment complaints or internal human resources matters may not be protected if confidential information is released.
4. **Disclaimers for Personal Posts:**

Employees of the Town of Moffat have the right to express personal opinions about Town-related issues on their personal social media accounts, and their First Amendment rights protect this form of expression. However, when discussing Town-related matters, employees must be mindful of the following considerations to avoid confusion and maintain a professional distinction between personal opinions and the official position of the Town:

1. **Clear Distinction Between Personal and Official Views:**
 - Employees must make it clear that any opinions or comments made about Town-related issues are their own personal views and do not reflect the views, opinions, or policies of the Town. A recommended disclaimer for such posts is:
 - “The views and opinions expressed here are my own and do not reflect the views or policies of the Town of Moffat.”
 - This disclaimer ensures that the public understands that the employee speaks as a private citizen and not as a representative of the Town.
2. **Avoiding Confusion:**
 - When discussing Town issues on personal social media, employees must be cautious to avoid any confusion that their comments represent official Town policy

or position. For example, employees should avoid speaking on behalf of the Town, making decisions, or offering commentary in a way that suggests they hold an official role or endorsement from the Town.

3. Limitations of First Amendment Protections:

- While employees have the right to discuss matters of public concern, First Amendment protections do not extend to all forms of speech in the workplace. If an employee's personal post disrupts the work environment, violates Town policies, or affects their job performance, the Town may take disciplinary action. This includes speech that:
 - Undermines public trust in the Town or creates a hostile work environment.
 - Discusses confidential information about Town operations or residents.
 - Encourages illegal or unethical behavior.
- In these cases, the employee may not be protected under the First Amendment and may face consequences in accordance with Town policies.

4. Professionalism and Respect:

- When posting about Town issues, employees should always engage respectfully and professionally. Posts should not contain offensive language, discriminatory remarks, or anything that could harm the Town's reputation or the relationships between the Town and its residents.
- Employees are encouraged to engage in constructive discussions, but personal attacks or inflammatory language that could reflect poorly on the Town may result in disciplinary action.

5. Confidentiality and Sensitive Information:

- Employees must never share or acknowledge confidential, proprietary, or sensitive information about the Town or its operations when posting about Town-related issues. This includes:
 - Information about ongoing projects, investigations, or legal matters.
 - Personal data or confidential records concerning residents or employees.
 - Internal deliberations or strategies not meant for public release.
- Posting such information can result in legal consequences and disciplinary action, as it could violate public records laws or privacy protections.

6. Political and Public Policy Issues:

- Employees are free to express personal political opinions related to Town policies or issues; however, they must not engage in partisan political activity using their Town affiliation. For example, employees should refrain from endorsing or opposing political candidates or parties on their personal social media profiles when discussing Town issues, as it could be perceived as an official position of the Town.

- Posts that promote or disparage political candidates or parties must clearly state that the employee is speaking in their personal capacity and not on behalf of the Town.
7. **Prohibited Content:** Employees may not post the following on official Town social media sites:
- a. Confidential information.
 - b. Disparaging content about citizens or the Town.
 - c. Copyrighted material without permission.
 - d. Offensive content such as profanity, racism, or threats.
 - e. Commercial endorsements, spam, or partisan political views.

SECTION 5. Record Retention and Public Records

1. **Public Records Compliance:** Social media records, including communications posted by the Town and received from residents, are subject to the Colorado Open Records Act and must be preserved in accordance with the Town's records retention policy.
2. **Archiving:** All social media accounts will automatically archive posts to ensure records are preserved in a system that maintains the integrity and context of the content. Archived records will be stored in a searchable, authentic format.
3. **Records Access:** Employees responsible for administering social media profiles will have access to records for public information and legal discovery requests.
4. **Retention Period:** The Town shall maintain social media records according to the relevant public records retention schedule. This includes text, photos, audio, video, and any other content posted on official accounts.

SECTION 6. External Policy and Community Engagement

1. **Public Engagement:** The Town encourages public participation through meetings, hearings, events, emails, letters and phone calls. The official Town of Moffat social media sites are one way communication only and meant for information and outreach.
2. **Moderation:** The Town reserves the right to remove content from Town social media sites that:
 - Contains obscene material.
 - Incites violence or illegal activities.
 - Promotes discrimination or defamation.
 - Contains spam or malware. Off-topic comments made on a specific topic thread or post.
 - Profane, obscene, or pornographic content and/or language;
 - Content that could compromise an ongoing criminal investigation;

- Defamatory posts;
- Violation of the privacy of another individual;
- Threats to any person or organization;
- Solicitation of commerce, including but not limited to advertising of any business or product for sale;
- Conduct in violation of any federal, state or local law;
- Encouragement of illegal activity;
- Information that compromises the safety or security of the public or public systems.
- The Town reserves the right to remove comments that do not promote civil discussion or do not adhere to our post/comment policy. Examples include attacking another commenter, racial slurs, comments against a protected class etc.
- The Town reserves the right to hide repetitive posts/comments made on a specific topic thread or post.

3. **Safety and Security:** The Town will not tolerate posts that compromise the safety or security of the public on Town social media sites. Any user-generated posts that violate this policy may be removed without notice.

SECTION 7. Emergency Postings

1. **Non-24/7 Monitoring:** Town social media accounts are not monitored 24/7. In the event of an emergency, the public is instructed to contact 911 directly.

SECTION 8. Termination and Deactivation of Accounts

1. **Inactive Accounts:** If a social media profile is no longer necessary for official Town business, the responsible party must notify the Clerk, Mayor, or Mayor Pro Tem to archive the relevant records, and deactivate or delete the account in accordance with Town procedures.

SECTION 9. Enforcement

Violations of this policy by Town employees or officials may result in disciplinary action, including but not limited to warnings, reprimands, suspension, or termination, in accordance with the Town's employee handbook and applicable labor agreements.

SECTION 10. Disciplinary Action

1. **Employees:** Employees found to be in violation of this social media policy may be subject to disciplinary action, which may include:
 - **Verbal or Written Warning:** For minor infractions, employees may receive a verbal or written warning that outlines the violation and expected corrective actions.


- **Suspension:** For repeated violations or more serious misconduct, the employee may be suspended from work with or without pay, depending on the nature of the infraction.
 - **Termination:** For severe violations, including illegal activity or actions that significantly undermine the Town's reputation, the employee may be terminated in accordance with the Town's employee handbook and applicable labor laws.
2. **Elected Officials:** Elected officials found in violation of this social media policy may face disciplinary actions as outlined below:
- **Formal Censure:** The Town Board may issue a formal censure or reprimand, which will be recorded in the official minutes of the Town Board meeting and by Resolution.
 - **Removal from Committee Assignments:** Elected officials may be temporarily or permanently removed from specific committee assignments or other duties if their actions are deemed to conflict with the Town's objectives and ethical standards.
 - **Removal or Recall:** In the case of severe misconduct or violation of public trust, the Town Board may initiate action pursuant to C.R.S. § 31-4-307 or support efforts for a recall election as provided by state law.
3. **Due Process:** All employees and elected officials will be provided due process as required by law before any disciplinary action is taken. Disciplinary measures will be consistent with applicable state laws, collective bargaining agreements, and the Town's policies and procedures.

SECTION 10. Conclusion

The Town of Moffat recognizes the significant role social media plays in modern communication. This policy provides guidance to ensure social media use enhances communication and fosters community engagement while protecting the integrity of Town operations and compliance with legal requirements.

DULY RESOLVED AND ADOPTED by the Board of Trustees for the Town of Moffat, Colorado on 3/18/2015.

TOWN OF MOFFAT, COLORADO


 Caroline Jung, Mayor Pro Tem
 Melinda Myers, Mayor

ATTEST:



Matt Litrenta, Town Clerk

Town of Moffat, Colorado
 Resolution No. 2025-
 Social Media Policy

