

Policy 4. County Facilities and Equipment

Part III. Equipment

§ 4-8. Purchase of electronic data processing equipment, software and supplies.

[Adopted 5-27-1986 (P-17)]

- A. The Information Technology Office is designated as the "clearinghouse" for the purchase of all electronic data processing equipment, software and related supplies used by Kent County government. All requests for computers and related equipment, software and supplies shall be submitted to the Information Technology Manager or his designee for approval before a purchase order is issued.
- B. The Information Technology Manager or his designee shall determine the appropriateness of all requests in a timely manner based upon their impact on at least the following:
 - (1) Compatibility with existing computer systems.
 - (2) Cost effectiveness.
 - (3) Potential for shared use.
 - (4) On-hand supplies.
 - (5) Existing maintenance contracts/agreements.
 - (6) Training requirements.
 - (7) Ease and probable cost of maintenance.

[1] *Editor's Note: For additional information regarding purchases for County purposes, see Policy 22, Part IV, Procurements.*

§ 4-9. Posting of non-government public notices on County bulletin boards.

[Adopted 5-26-1987 (P-20)]

- A. This Policy is applicable to the posting of all non-governmental public notices on all County bulletin boards in the Kent County Administration Building, Kent County Emergency Services Building, Wastewater Treatment Facility, and other County buildings.
- B. Anyone wishing to post information of potential interest to the general public on County bulletin boards shall first receive permission from the County Administrator or designee, except that no posting of any public notice shall be permitted which:

- (1) Discriminates against any individual or group of individuals on the basis of race, religion, color, national origin, sex, age or handicap.
 - (2) Promotes any political party or candidate for office.
 - (3) Could be construed to offend public morals.
 - (4) Promotes any illegal purpose or is potentially libelous or defamatory to any individual or group.
- C. When not prohibited by Subsection **B** above, all notices must meet the following criteria:
- (1) No notice shall be larger than 11 inches by 17 inches.
 - (2) All notices shall include the date of posting, "take down" date and the name and phone number of the person or group responsible for the posting.
 - (3) Due to limited space, no notice shall be posted except in areas designated for non-governmental public notices.
- D. The posting of any non-governmental notice which is in violation of the above shall be subject to removal without prior notification.

§ 4-10. Restrictions and fees for access to County computerized databases.

[Adopted 4-11-1989 (P-32)]

- A. Scope. This Policy restricts access to all computer-readable data collected and maintained by the County on its central computing equipment or on any computing equipment owned by the County and situated away from the Information Technology Office. The Policy applies regardless of the size or capacity of the computing equipment and regardless of the magnetic media on which the data is stored.
- B. Background. In the course of carrying out their statutory responsibilities, the operating agencies of Kent County collect, convert, store and maintain significant quantities of data in a form that is readily available for computer processing. This data represents a substantial investment which the County has made over the years and continues to make in order to support modern, cost-effective computer processing. The current direction of the County indicates that the range of machine-readable data will increase dramatically over the next decade. The data collected by the County has great value to the operating agencies and is essential to the performance of their duties. This same base of data also has value to organizations and individuals outside County government. It is the growing interest for data by these outside agents that recommends the establishment of this Policy.
- C. Policy statement. It is the policy of the Levy Court that access to the computerized information bases of the various County agencies be available to organizations and individuals outside its agencies in consideration of the following restrictions:
- (1) All data made available to outside agents must be public in nature and may not be governed by confidential information restrictions imposed by federal or state agencies.
 - (2) The intended use of any data acquired from the County must be clearly within moral, ethical and legal standards as determined by the Levy Court or its representative.
 - (3) Data requested by a political subdivision of Kent County will be provided at no cost where there is a statutory basis for supplying data.
 - (4) Data requested by state and federal agencies, other counties and their political subdivisions for the performance of their work, and data requested by legally tax exempt, not-for-profit

organizations which are involved in charitable or civic activities within the County will be provided at the County's cost of production as defined in this section.

(5) Data requested by individuals, agents or organizations outside of the categories defined in Subsection **C(4)** and **(5)** will be provided at the estimated market value of production as defined in this section.

(6) No provisions in this policy are intended to conflict with the provisions of any applicable "Freedom of Information" statutes or the legitimate orders of any court in the state.

D. Cost of production fees are set by ordinance and subject to change.

E. Authorization. The County Administrator shall authorize all requests for access to the County's databases. The Information Technology Office will schedule the production of labels, lists and other requested media only upon receipt of an authorization signed by the County Administrator. The work shall be scheduled at the convenience of the County.

§ 4-11. Disposal of surplus equipment and supplies.

[Adopted 6-11-1991 (P-45)]

This Policy provides for the disposal of any and all surplus equipment and supplies, being the property of Kent County, in a manner which will be in the best interest of Kent County.

A. Department heads and row officials will determine when equipment and/or supplies become surplus to their department.

(1) Listing of items shall be forwarded to the County Administrator for his or her review and concurrence.

(2) Listing of items will be forwarded to all Kent County departments to determine whether or not the items could be utilized elsewhere.

B. After the steps outlined in Subsection **A(1)** and **(2)** are complete, the surplus equipment and/or supplies shall be transferred to a designated area in Kent County.

C. Items with a value of \$50 or more will be publicly advertised and sold to the highest bidder who presents a sealed bid with acceptable surety.

D. If no bid is received, the department manager, designated by the County Administrator, shall dispose of the surplus items in one of the following ways:

(1) Sell to a scrap/salvage company willing to remove them for the best price or least cost to Kent County.

(2) Transfer to a public auction such as Spence's Bazaar but not limited to Spence's Bazaar.

(3) If unsold, dispose of as normal trash.

E. The Finance Department shall be notified of all surplus items with fixed asset inventory numbers after transfer or disposal is completed.

§ 4-12. Telephone use.

[Adopted 11-9-1999 (P-79)]

This Policy establishes a procedure for the proper use of County-owned or -provided telephones, including cellular phones.

A. For the purposes of this Policy, the following terms shall have the meanings indicated:

OCCASIONAL

No more than two telephone calls per day.

OFFICIAL

A person elected to public office.

PERSONAL

Any telephone call not related to the exercise of one's duties, job, or position.

SHORT DURATION

Any telephone call lasting five minutes or less.

- B. Telephone use is essential to the delivery of County services in a timely and convenient manner and as such should be reasonably available to permit access to County offices or officials.
- C. Voice mail and other communications requesting a response from an employee shall be regularly reviewed and telephone calls returned promptly.
- D. The occasional use of a County-owned or -provided telephone for making or receiving local area personal calls of short duration is permitted. Whenever possible, such personal calls should be made or received during normal breaks or rest periods and outside of customer service areas. Emergency use of telephones is always permitted.
- E. Employees shall complete and retain a report on such form as designated by the Finance Department of all long-distance telephone, facsimile, or toll calls for auditing purposes. Monthly telephone invoices shall be reviewed and all personal long-distance or toll calls identified for reimbursement to the County.
- F. Personal long-distance telephone, facsimile, or toll calls should not be made on County-owned or -provided telephones, but whenever such a call cannot be avoided, the responsible employee or official shall reimburse the County the cost indicated on the bill for the specific toll call(s). A receipt indicating reimbursement for such calls shall be submitted with the individual office's monthly long-distance telephone toll call invoice. A receipt indicating payment for such calls by an official shall be submitted monthly to the Finance Department. For cellular telephone users, all personal calls made after exhausting allowable charges (free minutes), if any, shall be presumed to be toll calls and reimbursement made to the County. Allowable charges shall first be applied to County business-related calls and only after covering all business calls shall such be applied to personal calls.
- G. The use of a County-owned or -provided telephone for inappropriate or illegal purposes, such as but not limited to harassing telephone calls or contacting a "900" number or similar type services, is prohibited.
- H. Enforcement of this Policy relating to employees shall be the responsibility of each department head. Any employee complaints, disputes or objections arising from this Policy shall be directed to the affected department head or the Personnel Office.
- I. Enforcement of this Policy as to officials shall be the responsibility of the Kent County Levy Court.
- J. Portable County-owned or -provided telephones are the responsibility of the employee or official having possession of same and as such the employee or official must exercise due care to prevent the loss or damage of such equipment. If such telephones are lost or damaged due to carelessness, the employee or official shall be responsible for paying for the replacement of the equipment.
- K. Employees violating this Policy shall be subject to disciplinary action up to and including termination and/or the suspension of use privileges.
- L. Elected officials and deputies violating this Policy shall be subject to suspension of use of County owned or provided telephone(s) for such period(s) of time as determined by the Levy Court.

§ 4-13. Computer network usage.

[Adopted 9-12-2000 (P-81)]

This Policy establishes the guidelines for usage of all Kent County computer networks and computer network applications and includes Internet usage guidelines.

A. Policy compliance.

- (1) Computer network and Internet systems, just as with other County resources, are for official use only. Use of Kent County networks and the Internet must be consistent with the goals of facilitating and disseminating knowledge, encouraging collaborative projects and resource sharing, aiding technical transfer to Kent County businesses, fostering innovation and competitiveness within Kent County, and building a broader infrastructure to support professional, work-related activities.
- (2) Each department is responsible for the activities of its employees and for ensuring that its employees are familiar with this Policy.

B. Data processing standards.

- (1) Use of County computers, e-mail, networks and the Internet subjects each user to monitoring. Transmitting inappropriate material over County networks or the Internet, including pornography, gambling material, documents containing religious or racially disparaging content, and illegally obtained copyrighted material, is a violation of this policy.
- (2) The County e-mail system will be monitored and audited for inappropriate usage. Information shared using the e-mail system is not to be regarded as private or confidential. Mailing software files and chain mail is not authorized. Mass broadcast mailings to larger organizations should be limited to those needed for business purposes and may be made only with written approval from the sender's supervisor.
- (3) Use of the Internet to further professional knowledge is authorized; however, accessing sites for entertainment, to further personal or commercial financial gain, or to participate in "chat rooms" is in violation of this Policy.
- (4) Only licensed copies of software programs that are supported by the County Information Technology Office will be loaded and supported on County PC's and networks.
- (5) Employees should not copy programs, zipped (compressed) files or other executable files into user or shared directories on the network.
- (6) Users should monitor their own directories, ensuring that only current data is stored on the network. Old data (data that has not been accessed in six months) should be archived (by copying it to a floppy disk or CD) and deleted from the network, to enable efficient use of network storage space.
- (7) Network backups will be performed nightly. Since any file open when the backups occur will not be copied to the backup, users should close all programs and log out of the network each night prior to leaving their workstation. This will enable the information stored on the networks to be successfully backed up in the nightly process. (Any data stored on the user's C drive will not be included in the nightly backup, as this information resides on the PC's hard drive only.)
- (8) The networks will automatically prompt users to change their passwords each 30 days. Easily guessed passwords (such as initials, a child's name, birthdays) should not be used. Passwords should never be written or displayed on a workstation.

C. Privacy rights.

- (1) Computer network systems (including e-mail) and Internet systems are the property of Kent County and are to be used for official County business only. Usage of these systems, and

information shared using these systems, is not to be considered private or confidential in any manner or at any time.

- (2) Computer network and Internet systems will be monitored and audited for inappropriate usage. If a user accidentally accesses questionable information using County-provided computer networks or the Internet, that user must immediately notify his or her supervisor of such access. Accidental access will be noted and will not be considered as a violation of this Policy, provided the proper notification is made immediately.
 - (3) Kent County reserves the right to remove unauthorized software and data from all County computer equipment without notice.
- D. Acceptable uses. The following acceptable uses list includes ways that information on the County networks and the Internet may be used. This is not an inclusive list; each user should use his or her own discretion as to how to use the networks and the Internet for County business purposes, realizing that usage is monitored.
- (1) To provide and facilitate communication with other County, state and federal agencies and business partners of Kent County agencies.
 - (2) To communicate and exchange professional development; to maintain or debate issues in a field of knowledge.
 - (3) To use for professional society, university association, government advisory, or standards activities related to the user's professional/vocational discipline.
 - (4) To use in applying for or administering grants or contracts for work-related applications.
 - (5) To use as a means of administrative communication or with activities in direct support of work-related functions.
 - (6) To announce products or services for use within the scope of work-related applications, but not for commercial advertising of any kind.
- E. Principles of ethics. The following principles of ethics will apply to County computer networks and Internet usage:
- (1) Users will not seek information on, obtain copies of, or modify files, data, or passwords belonging to other users.
 - (2) Users will not intentionally represent themselves as another user unless explicitly authorized to do so by that other user.
 - (3) Users will not violate copyright laws when using County computer networks and the Internet. Users will not load or use unlicensed software.
 - (4) Users will not intentionally develop programs that harass other users.
 - (5) Users will not invade a computer or computing system and/or damage or alter its software components.
- F. Unacceptable uses. The following list identifies unacceptable uses of County computers, networks and the Internet. This list is intended as a guideline and is not inclusive.
- (1) Transmitting or receiving inappropriate material. This includes sending or receiving pornographic or sexually provocative material, gambling material, documents containing religious or racially disparaging content, and illegally obtained copyrighted material.
 - (2) Illegal or malicious use. Use should be consistent with guiding ethical statements and accepted community standards. The County networks and the Internet may not be used in ways that violate applicable laws or regulations such as transmitting or soliciting threatening, obscene, or harassing materials. The County computer networks or the Internet may not be

used to solicit information with the intent of using such information to cause personal harm or bodily injury.

- (3) Changing the manner in which the networks communicate with each other or share information between users.
 - (4) Unsolicited commercial advertising.
 - (5) Use for recreational games, except in conjunction with a Kent County sponsored activity.
 - (6) Use for revenue-generating activities, unless related to Kent County business.
 - (7) Use for private or personal business activities.
 - (8) Displaying religious themes, comments or images.
 - (9) Distributing unsolicited advertising.
 - (10) Distributing computer worms or viruses.
 - (11) Gaining unauthorized entry to another machine.
 - (12) Attempting to circumvent County user authentication or security.
 - (13) Attempting to interfere with or deny service to any user or network.
 - (14) Forging e-mail header information.
 - (15) Sending unsolicited mail messages (spam or junk mail).
 - (16) Forwarding or posting "chain letters" of any type.
 - (17) Participating in Internet "chat rooms."
- G. Remedial action. When the Information Technology Office (IT) learns of a possible inappropriate use, IT staff will immediately notify the Personnel Director and director of the department in which the inappropriate use occurred. In order to prevent further possible unauthorized activity, IT may temporarily disconnect an irresponsible user from the County network. Any determination of unacceptable usage serious enough to require disconnection will be promptly reported to the department director.
- H. Violation of this Policy will be subject to disciplinary action up to and including termination and/or the suspension of use privileges (or access).

§ 4-13.1. Social media use.

[Adopted 6-14-2011 (P11-01)]

This Policy establishes provisions for the appropriate use of social media by employees, but is not intended to replace or substitute normal standards of good judgment and professional conduct.

- A. Social media includes all forms of online computer applications, websites, tools, and platforms that enable communications between users. The specific types of social media change frequently but, as a general matter, include: (1) social networking sites such as Facebook, MySpace, LinkedIn, etc. (2) blogs and microblogs such as Blogger, Twitter, Wordpress, Tumblr, etc.; and (3) content-sharing sites such as You Tube, Flickr, Vimeo, Scribd, etc. Additionally, comments posted to a website or blog, and other user-generated content, are subject to the standards set forth in this Policy.
- B. Employees are prohibited from engaging in, accessing, or otherwise using social media during working hours, unless authorized by their department head to so do as part of County-sponsored social media activities or job-related duties.

- C. Misconduct via social media may result in disciplinary action under other County policies/ordinances. Employees should remain aware of the public nature of their online activities, and there should be no expectation of privacy with respect to content posted on the Internet.
- D. Employees violating this policy shall be subject to disciplinary action, up to and including termination.

§ 4-14. Uniform acquisition and use.

[Adopted 3-26-2002 (P-85)]

This Policy establishes provisions for the acquisition, rental, design, allocation, and proper use of County uniforms.

- A. The County will provide a uniform(s), in whole or in part, to the following positions: Department of Public Safety employees, Division of Facilities Management employees, except administrative staff; Division of Wastewater Facilities employees, except administrative and clerical staff; building inspectors, property assessors, and other positions regularly working out-of-doors and needing to be easily recognized by the public as determined by the County Administrator.
- B. All uniforms worn by County employees, including shirts, pants, jackets, patches, shoes, etc., featuring the County seal, logo, or identifying a County department, division or office shall be ordered or reimbursed, with prior approval, through the Department of Finance from the individual "uniform" line items in the approved annual budget.
- C. As much as possible, all uniforms will be similar in design so as to present an appropriate and consistent appearance for County employees, depending on the type of job performed. The particular uniform style or features, as well as all proposed changes to the appearance of the County uniforms, must be approved in advance by the County Administrator.
- D. The allotment of uniforms (number of shirts, pants, shoes) shall be annually reviewed and funds included in the annual budget line item(s) to meet the need per eligible employee, to replace uniforms as needed, and to purchase uniforms for any new employees. The specific articles of clothing to be provided by the County and the specific type of clothing to be provided by the employee shall be determined by the County Administrator as funds allow.
- E. Employees provided uniforms shall wear the assigned uniform each workday. Uniforms shall be maintained in a clean, neat, properly sized condition and worn only when performing job duties or en route to or from the workplace. Employees shall avoid locations or activities while wearing a uniform, which might reflect negatively upon the County government. Employees shall be responsible for laundering uniforms and providing sufficient advance notice when replacement is needed. Due to the nature of the work performed by some employees, their uniforms will be professionally laundered without cost to the employee. Department heads may exempt specific positions from this requirement as deemed necessary.
- F. Damaged uniforms caused by carelessness of the employee or unusual wear and tear outside the norm for the expected work activity shall be replaced at cost by the employee. A terminating employee returning damaged uniforms shall be held liable for the cost of replacing the damaged clothing or equipment. The County will pursue legal action as necessary to recover replacement of lost/damaged clothing and all legal costs.
- G. All uniforms and any associated equipment provided by the County shall be returned in clean condition upon termination of employment.
- H. Employees violating this Policy shall be subject to disciplinary action up to and including termination.

[1] *Editor's Note: For additional information on the use of County insignia, see Policy 10, Insignia, Emblems and Badges.*

§ 4-15. Sale of County-owned excess property.

[Adopted 3-11-2003 (P-89)]

This Policy establishes negotiation procedures for the sale of County-owned excess property.

- A. After receiving direction from the Levy Court to begin the process of disposing of real estate, the County Administrator shall request from a licensed appraiser a fair market value appraisal of such parcel(s).
- B. Upon receipt of an appraisal, the County Administrator may accept the appraisal or reject it for an apparent material inadequacy and refer the matter back to Levy Court for further instruction.
- C. The County Administrator shall obtain the names and addresses of adjoining owners via the public record.
- D. If there is only one adjoining owner, the County Administrator shall contact that owner and offer to sell the property for the amount of the approved appraisal. If the owner is in agreement, the owner shall be invited to submit a contract or asked to sign a sales contract prepared for the County. Should the adjoining owner not wish to purchase the property at the approved amount as established by the accepted appraisal, the County Administrator may entertain lesser offers, with the explicit instruction to the offeror that Levy Court approval is required to reach a binding agreement.
- E. If there are multiple adjoining owners the County Administrator shall notify by certified mail, return receipt requested, each owner of the intent to dispose of the property. A sealed bid form shall be included with the notice. The information will advise the abutting owners of the approved appraisal value and that the property will be sold to the highest bidder offering. Further information shall indicate that should an adjoining owner bid an amount less than the appraisal value and should that bid be the highest bid received, the bid shall be subject to Levy Court approval. The bid form shall specify the time period by which all bids must be received. The high bidder shall be invited to submit a contract or asked to sign a sales contract prepared for the County.
- F. The above policy is applicable to lands deemed "excess" given their relative modest value. An alternate or modified procedure may be employed, where Levy Court deems it necessary to do so to obtain appropriate consideration for any given parcel. This Policy is not to be interpreted to limit Levy Court from adopting a commercially reasonable mechanism to convey lands that Levy Court deems, in its sole judgment, to have a relative substantial value.