



NEW CASTLE COUNTY ETHICS COMMISSION
MINUTES OF JANUARY 9, 2019
PUBLIC MEETING

In attendance:

Commission Members:

Eric Monzo, Chair; Paula Jenkins-Massie, Vice Chair; Sally Jensen; Robert Ralston; and Kellie Tetrick

Absent:

Christopher Simon and Charles Toliver

Ethics Commission Staff:

Julie M. Sebring, Legal Counsel
Alison Lewis, Confidential Assistant

Members of the Public:

The Honorable Janet Kilpatrick; the Honorable George Smiley; the Honorable Ciro Poppiti, III; Alex Mili; Aysha Gregory, Assistant County Attorney; Paul Freese.

Chair Monzo opened the Public Session at 4:34 p.m. in the Woodlawn Library, conference room, 2020 W. Ninth Street, Wilmington. In addition to Chair Monzo, Vice-Chair Jenkins-Massie, Commissioners Jensen, Ralston and Tetrick were physically present at the noted location for the entire meeting.

Public Minutes: The Commissioners reviewed the minutes of the public session of the January 9, 2019 Ethics Commission meeting. Commissioner Jensen made a motion to approve the January 2019 public session minutes with a minor revision, and Commissioner Jenkins-Massie seconded the motion.

VOTE: 4 - 0 - 1 Motion carried. (Commissioner Ralston abstained.)

Executive Minutes: The Commissioners reviewed the minutes of the January 9, 2019 executive session. Commissioner Jenkins-Massie made a motion to approve the January 2019 executive session minutes with a minor revision, and Commissioner Jensen seconded the motion.

VOTE: 4 - 0 - 1 Motion carried. (Commissioner Ralston abstained.)

Finance Report: Copies of the monthly expenditure report and financial spreadsheet were distributed to the Commissioners for review and discussion.

Committee Reports:

Administrative Committee: No report at this time.

Forms Committee: Counsel advised the Commission that letters were sent to three annual filers to clarify answers submitted in their forms. Once these remaining three respond and provide the necessary clarifications, the 2017 Annual Filers will be complete.

Training Committee: Counsel advised the Commission that dates and locations of mandatory Ethics Code training sessions for the months of January, February, and March 2019 have been coordinated and set through the HR Department. These dates have been posted on our website. Dates for Ethics Code training for New Castle County Council and its staff are in the process of being scheduled.

Ethics Office updates:

The next meeting is scheduled for Wednesday, February 13, 2019 in the Manager's conference room of the New Castle County Government Center, 87 Read's Way, New Castle.

Counsel updated the Commission on the meeting which took place on December 13, 2018 with a representative from Delmarva Digital to discuss various electronic communication issues, including potential changes to the Ethics Commission Advisory Opinion, Waiver, and Final Orders website, as well as finalizing the Gift Log website. Delmarva Digital is preparing a quote for the Commission for these updates/additions.

Counsel reviewed with the Commissioners that the Ethics Commission is scheduled to present its FY2020 Budget proposal to the County Executive on Wednesday, January 23, 2019 at 10:00 a.m. in the Executive Conference Room. Counsel advised the Commissioners that the Ethics Office is scheduled to present they FY2020 Budget to County Council on Monday, April 15, 2019 at 2 pm in the City/County Building.

NEW BUSINESS

FY2020 Budget: A rough draft of the proposed Commission FY20 budget was distributed to the Commissioners for their review. It was noted that the format is somewhat different this year from previous years. Representatives of the Ethics Commission are scheduled to meet with the Executive Office on January 23, 2019 to present the Ethics Commission's FY20 budget proposal to the County Executive.

OLD BUSINESS

2018 Annual Report: Counsel advised the Commission that Alison has received edits from the Commissioners who wish to revise their biographical information

contained in the Annual Report. Alison and she are completing the 2018 Annual Report and it is on track for distribution per the Commission's decision at the December 2018 meeting by February 1, 2019, as required by the County Code. Counsel asked the Commissioner to send Alison and her any further revisions they might have as soon as possible.

COGEL Conference 2018: Counsel and Commissioner Ralston updated the Commissioners about their attendance at the COGEL Conference in Philadelphia in December 2018 and confirmed the value of attendance at the conference. Commissioner Ralston noted that the conference offered a lot of sessions on topics which this Commission is not required by the Code to handle, but Commissioner Ralston, Commissioners who have attended previous COGEL conferences, and Counsel agreed that attendance is, nevertheless, worthwhile and that the conference offers many information sessions which cover topics relevant to this Commission. The 2019 COGEL conference will be held in Chicago, IL.

Formation of the Ethics Code Revisions Committee: Counsel advised that in addition to inclusion of this matter as an item on the agenda for this meeting which was posted on January 2, 2019, on January 3, 2019, an email was sent to all persons with a County email address regarding the Commission's intent to begin the process of reviewing and revising the Ethics Code. Within minutes of sending the email, Counsel received several responses indicating interest in the being involved in the process. The Commission discussed the creation of a subcommittee of the Administrative Committee for the purpose of reviewing and revising the Ethics Code and other parts of the County Code which impact the functioning of the Ethics Code. Members of the public in attendance at the meeting spoke to the Commission about their ideas and interest in the review and revision process. Part of the discussion centered on whether Counsel should serve as the chairperson of the subcommittee. The Commissioners indicated that Counsel should provide legal advice, draft and revise proposed Code revisions, and provide needed support as Counsel to the subcommittee, but indicated its preference to have a chair or co-chairs for the subcommittee other than Counsel. The Commission reiterated its preference for the subcommittee to include stakeholders in the process and for its meetings to be noticed and open to the public so that all interested parties can be involved in the process.

Public Comment:

The Commission heard comment from the following members of the public about the Ethics Code Revision Committee: Alex Mili, County employee; the Honorable Ciro Poppiti, III; the Honorable Janet Kilpatrick; and the Honorable George Smiley.

Aysha Gregory, Assistant County Attorney, informed the Commission that she attended the meeting in connection with an item on the Executive session agenda, AO18-11, and that she and Paul Freese came to the meeting to be available for any questions the Commission might have on that matter.

At 5:17 p.m., the Commission went into Executive session upon unanimous vote on the motion of Commissioner Jensen, seconded by Commissioner Tetrick.
At 5:40p.m., Commissioner Jensen made a motion to return to public session. Commissioner Ralston seconded the motion. The motion carried unanimously.

AO18-11: Commissioner Jensen made a motion to approve the revised draft Advisory Opinion, as written, with addendum. Commissioner Ralston seconded the motion. The motion carried unanimously.

VOTE: 5 – 0 Motion carried.

At 5:41 p.m., Commissioner Tetrick made a motion to adjourn the meeting; Commissioner Jenkins-Massie seconded. The motion carried unanimously.

The draft minutes were prepared by Alison Lewis, Confidential Assistant, and reviewed by Julie M. Sebring, Esquire.