



NEW CASTLE COUNTY ETHICS COMMISSION
MINUTES OF AUGUST 11, 2021
PUBLIC MEETING

In attendance:

Commission Members:

Robert Ralston; Johanna Bishop; Robert Hicks; Sally Jensen; and Charles Toliver

Ethics Commission Staff¹:

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

Absent:

Paula Jenkins-Massie, Kellie Tetrick

Chair Ralston opened the Public Session of this hybrid virtual and anchor location meeting at 4:39 p.m. The meeting was advertised and held both virtually via Zoom and at the anchor location of the Ethics Commission office, 77 Read's Way, New Castle, DE 19720.

Public Meeting Minutes: The Commissioners reviewed the draft minutes of the May 12, 2021, Public Ethics Commission meeting. Commissioner Toliver made a motion to approve those draft minutes, and Commissioner Jensen seconded the motion.

VOTE: 4 - 0 . Motion carried.

Executive Session Minutes: The Commissioners reviewed the minutes of the May 12, 2021, Ethics Commission meeting, Executive Session. Commissioner Jensen made a motion to approve those draft minutes, and Commissioner Toliver seconded the motion.

VOTE: 4 - 0 . Motion carried.

Finance Reports: Commissioners reviewed a year-to-date expense report generated using Munis, as well as a report listing the Commission's expenses for the months of May, June, and July 2021.

¹ The Ethics Commission staff attended this session of this meeting at the noticed anchor meeting location.

Committee Reports

Administrative Committee: The ECRC held meetings in June and July 2021. The minutes of the ECRC meetings continue to be published on the Ethics Commission's page on the County website. Counsel advised the Commission that the ECRC would be preparing a status memo with new material that is being worked on as well as material that has already been discussed and presented to the Commission so far. The August meeting was postponed. The next meeting date is scheduled for September 2, 2021. Also, Counsel informed the Commission that she has been receiving a lot of questions and feedback about work from home policies which have been adopted by the Administrative 'side' of County government and County Council.

Forms Committee: As of today, there is only one annual filer who has not yet filed an annual Statement of Financial Interests for 2020. It is expected that this filer will satisfy the requirement as soon as practicable. Routinely, there are forms being filed as new board or commission members are nominated for County service. Counsel told the Commissioners that the ECRC is currently discussing the topic of whose filed forms should be made available to the public on the Commission's SFI website (with a redaction of personal indicators as recognized by the courts) and that discussion will continue at its September 2, 2021, meeting. Counsel has been contacted by a member of County Council about possibly funding a new online SFI program which would be easier to use. The Commissioners have not experienced trouble with the current site but asked Counsel and Ms. Lewis to discuss it with the software programmers and find out what the possibilities might be as well as the potential costs, with a focus on ease of use and ease of searching the site for queries, quantifiers, and/or other specific factors.

Training Committee: The next general Ethics Code training session for County officials and employees is scheduled for Wednesday, August 25, 2021, 10 a.m. to noon, via Zoom.

Ethics Commission Office updates:

The next Commission meeting is scheduled for Wednesday, September 8, 2021, as a hybrid meeting per State law. New Castle County reinstated its face mask policy while in County buildings, so anyone attending the meeting in person or coming to the office will be required to wear a mask. The Commission discussed when its meeting in December should be held considering the dates of the COGEL conference and decided upon December 15, 2021.

Commissioner Roster: Commissioner Jenkins-Massie's term expires in October 2021. She has agreed to serve during the statutory 6-month holdover period. If anyone has any suggestions for an appointment to fill the seat which will become vacant, please let Counsel know. Chair Ralston's current term expires this December (2021), and he has agreed to be reappointed for another term.

Counsel provided some general information to the Commissioners which she had been asked by various people to relay:

1. To reach the Delaware Hopeline, call (833) 9 HOPE DE or text DEHOPE to 55753 for help with stress/behavioral health issues, a service of the State of Delaware Division of Substance Abuse and Mental Health;
2. 9-8-8 is a suicide or urgent mental health hotline which can be used instead of 9-1-1 when appropriate;
3. There is a Smart 9-1-1 app which can include critical information about members of your household/family for retrieval during an emergency;
4. The SEED program may allow some individuals to attend Del tech or UD for free; and
5. There will be a virtual COGEL meeting on campaign finance on August 19, 2021, from 3 to 5 p.m. Counsel will send an email to the Commissioners with additional information.

Old Business:

The annual COGEL conference will be held in Denver, Colorado from December 5, 2021, through December 8, 2021. The discounted, 'early bird' registration deadline is October 31, 2021. The Commission discussed who would like to attend the conference this year, COVID-related issues, and funding. In addition to Counsel, Commissioner Hicks stated that he would like to attend, and other Commissioners are considering it. Registrations will be submitted closer, but prior, to the early bird deadline.

New Business:

By email, Counsel informed the Commissioner's that the Governor lifted his State of Emergency declaration about a month ago. Counsel will continue to update the Commission as any additional information is issued which is relevant to the Commission. The Commission also reviewed the open letter to from Colonel Bond which was published by local news outlets in July 2021. The Commission also discussed the one paragraph ruling by the Delaware Supreme Court that overturned the Superior Court's decision regarding whether a local elected official could take office. Counsel will inform the Commission when the Supreme Court issues a written opinion.

C21-02 – Commissioner Bishop made a motion to open an investigation in this matter. Commissioner Hicks seconded the motion.

VOTE: 5-0. Motion carried.

Public Comment: No public comment.

At 6:18 p.m., Commissioner Hicks made a motion to move to Executive session. Commissioner Toliver seconded the motion.

At 6:51 p.m., Commissioner Jensen made a motion to adjourn the meeting and Commissioner Toliver seconded the motion. The motion carried unanimously, 5-0.

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