



NEW CASTLE COUNTY ETHICS COMMISSION
MINUTES OF NOVEMBER 10, 2021
PUBLIC MEETING

In attendance:

Commission Members:

Robert Ralston; Kellie Tetrick; Johanna Bishop; Brandon Brice; Robert Hicks; Sally Jensen; and Charles Toliver

Ethics Commission Staff¹:

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

Public Attendance:

Lisa Oglesby

Chair Ralston opened the Public Session of this meeting at 4:37 p.m. The meeting was advertised per State law and held both virtually via Zoom and at the anchor location of the Ethics Commission office, 77 Read's Way, New Castle, DE 19720.

Commissioner Brandon Brice was sworn-in as a new member of the New Castle County Ethics Commission by County Executive Matt Meyer just before the meeting began. Chair Ralston welcomed Commissioner Brice to the Ethics Commission, and the entire Commission and its staff joined Chair Ralston in welcoming Commissioner Brice.

Public Meeting Minutes: The Commissioners reviewed the draft minutes of the October 13, 2021, Public Session of the Ethics Commission meeting. Commissioner Bishop made a motion to approve the draft minutes as submitted, and Commissioner Hicks seconded the motion.

VOTE: 5 - 0 - 2 . Motion carried.

Executive Session Minutes: The Commissioners reviewed the minutes of the October 13, 2021, Ethics Commission meeting, Executive Session. Commissioner Bishop made a motion to approve the draft minutes as submitted, and Commissioner Hicks seconded the motion.

¹ At least one member of the Ethics Commission staff attends this session of the meeting at the noticed anchor meeting location.

VOTE: 5 - 0 - 2 . 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 October 2021.

Committee Reports

Administrative Committee: The Ethics Code Review Committee, a subcommittee of the Administrative Committee, provided the Commission with two memoranda: one which includes the recommended Code changes which have been reviewed by the Commission to-date and a second memorandum of recommended Code changes for review by the Commission. The Administrative Committee will meet as schedules permit to review the memos and provide its feedback to the Commission.

Forms Committee: The Commission was advised that the annual filer who had not filed is no longer employed with New Castle County and the filer's ability to file the 2020 annual form is unclear at this juncture.

The Commissioners reviewed their discussion at its October 2021 meeting during which the Commission decided that the expense of a new Statement of Financial Interests form website, or a substantial system upgrade, is not warranted at this time. Counsel communicated this decision with many elected County officials and asked them for their feedback, and they informed her that they did not experience difficulty with the system when filing their 2020 annual forms.

Training Committee: The last County-wide Ethics Code training was held via Zoom on October 26, 2021. Counsel stated that the people in attendance were alert and participated. The next County-wide Ethics Code training session for County officials and employees is scheduled for Thursday, November 18, 2021, from 1:00 p.m. – 3:00 p.m. Commissioners have inquired as to the number of employees that have attended training to date. Counsel will contact HR to get an update on that number. HR has been requiring County employees to take certain kinds of training at least every two years, and the Ethics Code training is included as mandatory training.

Ethics Commission Office updates:

The next Commission meeting is scheduled for Wednesday, December 15, 2021, as a hybrid meeting per State law. New Castle County reinstated its face mask policy while in County buildings, so anyone entering a County building will be required to wear a mask. Additionally, the safety protocols for in-person attendance at the Ethics Commission meeting are included on the meeting notices and agenda, which are posted and advertised prior to each meeting per State law.

A draft of the meeting dates for 2022 were distributed to the Commissioners. Counsel asked that Commissioners review the dates and mark their calendars. Commissioners requested that meeting dates be sent via Outlook invite, as well as budget hearings and training dates.

Counsel informed the Commission that a resolution to reappoint Chair Ralston to the Ethics Commission is on the next County Council meeting agenda which means that he should be reappointed before his term expires in December 2021.

Counsel updated the Commissioners on status of the HVAC leak and mold problem in the Ethics Commission office in the Gilliam Building. As discussed by the Commission at its October 2021 meeting, Investigator Carr and Ms. Lewis have arranged for an out-of-state shredding company to come to the Ethics Commission office in the next month to destroy the sensitive and other documents which were soaked and ruined by water from the HVAC leak which are not required to be retained by law. Investigator Carr and Ms. Lewis will be onsite to facilitate and document the destruction of those files. Once those files are disposed of, then the County will be asked to remediate the mold in the Commission office so that it will no longer pose a health and safety risk.

Old Business:

The 2021 COGEL Conference will be held live but virtually. Cost of registration is \$400 per person, which is about half of what the in-person conference registration would probably cost. And because the conference is virtual, the expenses of travel, lodging, meals, etc., will not be incurred. Ms. Lewis has registered Counsel and the Commissioners who informed her that they wanted to attend.

New Business:

Counsel and Ms. Lewis informed the Commissioners that the FY23 budget request process has begun. The FY23 meeting with the County Executive and the Finance Department is scheduled for the morning of January 26, 2021 and will be held via Teams.

Public Comment: No members of the public were present at the meeting when public comment was invited.

At 5:53 p.m., Commissioner Hicks made a motion to move to Executive session. Commissioner Toliver seconded the motion.

At 6:36 p.m., Commissioner Tetrick made a motion to adjourn the meeting and Commissioner Hicks seconded the motion. The motion carried unanimously, 7-0.

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