



NEW CASTLE COUNTY ETHICS COMMISSION
MINUTES OF JANUARY 16, 2020
PUBLIC MEETING

In attendance:

Commission Members:

Paula Jenkins-Massie; Robert Ralston; Sally Jensen; Kellie Tetrick; and Charles Toliver

Absent: Christopher Simon

Ethics Commission Staff: Julie M. Sebring, Legal Counsel
Alison Lewis, Confidential Assistant

Public Attendance: Ray Carr, Investigator
Sidney Liebesman, Esquire

Chair Jenkins-Massie opened the Public session at 4:46 p.m. in the Manager's conference room of the New Castle County Government Center, 87 Read's Way, New Castle.

Public Minutes: The Commissioners reviewed the minutes of the Public session of the December 11, 2019 Ethics Commission meeting. Commissioner Jensen made a motion to approve the December 11, 2019 Public session minutes, and Commissioner Tetrick seconded the motion.

VOTE: 4 - 0 . Motion carried.

Executive Minutes: The Commissioners reviewed the minutes of the Executive session of the December 11, 2019 Ethics Commission meeting. Commissioner Ralston made a motion to approve the December 11, 2019 Executive session minutes with changes as discussed, and Commissioner Jensen seconded the motion.

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

Finance Reports: Copies of the reports for December 2019 were distributed to the Commissioners and they reviewed the monthly finance report. Review of these reports was tabled to the next meeting.

Committee Reports

Discussions and updates involving Committee reports were tabled to the February meeting.

Ethics Commission Office updates:

The next meeting is scheduled for Wednesday, February 12, 2020 in the Manager's conference room of the New Castle County Government Center, 87 Read's Way, New Castle.

OLD BUSINESS

FY2021 Budget: The budget meeting with the Executive office and Finance Department members which was scheduled for Wednesday, January 22, 2020 at 9:00 a.m. has been rescheduled to Tuesday, January 28, 2020 at noon. All Commissioners who can come to this meeting are strongly encouraged to attend.

Commissioner roster: The discussion of the open Commissioner seat is tabled until the February meeting.

COGEL 2019: The 2019 COGEL conference was held December 15-18, 2019 in Chicago, IL. Discussions and updates about the conference were table to the February 2020 meeting.

NEW BUSINESS

2020 Meeting dates and locations: Copies were distributed to the Commissioners to update their calendars for the 2020 calendar year.

FOIA requests: Copies of recent FOIA requests were distributed to the Commissioners.

2019 Annual Report: The 2019 Annual Report is due for distribution on February 1, 2020. Counsel discussed removing the synopses from the end of the report and adding a link to these on the website. Moving forward the Ethics office will list the current year synopses of Advisory Opinions, Waivers and Orders.

COGEL 2020: This topic is tabled until the February meeting.

MEMBERS OF THE PUBLIC:

Sidney Liebesman, Esquire; member of the Wilmington, DE, office of Fox, Rothschild, LLP, and Investigator Ray Carr were present for the meeting.

At 5:00 p.m., Commissioner Jensen made a motion to move into the Executive session of the meeting, Commissioner Tetrick seconded the motion. The motion passed unanimously, 5-0.

At 6:23 p.m., Commissioner Jensen made a motion to return to the Public session. Commissioner Toliver seconded the motion. The motion passed unanimously, 4-0.

AO19-04: Commissioner Toliver made a motion to approve with added language and Commissioner Jensen seconded the motion. The motion passed unanimously with a vote of 5-0.

AO19-05: Commissioner Tetrick made a motion for Counsel to respond by letter in this matter in the affirmative. Commissioner Ralston seconded the motion. The motion passed unanimously with a vote of 5 – 0.

C19-02: Commissioner Ralston made a motion to approve Counsel to issue a subpoena in this matter. The motion was seconded by Commissioner Jensen and the motion passed unanimously, 5 – 0.

C19-06: Commissioner Toliver made a motion to open a formal investigation in this matter. Commissioner Tetrick seconded the motion and the motion passed unanimously with a vote 5-0.

At 6:27 p.m., Commissioner Tetrick made a motion to adjourn the meeting and Commissioner Jensen seconded the motion. The motion carried unanimously.

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