



NEW CASTLE COUNTY ETHICS COMMISSION  
MINUTES OF DECEMBER 11, 2019  
PUBLIC MEETING

In attendance:

Commission Members:

Paula Jenkins-Massie; Robert Ralston; Sally Jensen; Kellie Tetrick

Absent:

Eric Monzo; Christopher Simon; and Charles Toliver

Ethics Commission Staff:

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

Public Attendance:

Johnna Darby, Esquire  
Sidney Liebesman, Esquire  
Walt Rashdan

Chair Jenkins-Massie opened the Public session at 4:50 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 November 20, 2019 Ethics Commission meeting. Commissioner Jensen made a motion to approve the September 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 November 20, 2019 Ethics Commission meeting. Commissioner Jensen made a motion to approve the September 2019 Executive session minutes and Commissioner Tetrick seconded the motion.

VOTE: 4 - 0 Motion carried.

**Finance Reports:** Copies of the reports for November 2019 were distributed to the Commissioners and they reviewed the monthly finance report.

### **Committee Reports**

*Administrative Committee:* Counsel advised the Commission that the ECRC did not hold a meeting in December and is discussing conducting an anonymous survey of persons with a New Castle County government email address for feedback on certain proposed Ethics Code revisions.

*Forms Committee:* Counsel informed the Commission that Delmarva Digital will be making updates to the newly designed Gift Log website. Delmarva Digital will also be moving forward with the request for “auto fill” on the Statement of Financial Interests form. Counsel and Ms. Lewis advised the Commission of the County Executive’s mandate for persons appointed to County boards and commissions to file SFI’s even if they are not required by the Code to do so, and the status of that situation.

*Training Committee:* Counsel advised the Commission that the next general Ethics Code mandatory training session is scheduled for December 12, 2019 from 10 a.m. to noon in the Gilliam Building. Also, because this is the holiday season, Counsel and Ms. Lewis sent the annual email to all County email address holders with information regarding the Gift Law portion of the Ethics Code. This year, the email also included information about upcoming Ethics Code training sessions. Copies of the email were provided to the Commissioners for review.

### **Ethics Commission Office updates:**

The next meeting is scheduled for Thursday, January 16, 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 is scheduled for Wednesday, January 22, 2020 at 9:00 a.m. All Commissioners who can come to this meeting are strongly encouraged to attend.

COGEL 2019: The 2019 COGEL conference is scheduled for December 15-18, 2019 in Chicago, IL. Counsel and Commissioners Jensen, Tetrick, and Toliver will be attending the conference in Chicago.

## **NEW BUSINESS**

Vacancy on Ethics Commission: Counsel advised the Commission that Eric Monzo submitted his resignation from the Commission. His term was due to expire in September 2020. The Commission membership, by law, must maintain a political balance inasmuch as neither appointing authority (County Council and the County Executive) may appoint more than 2 persons registered to the same political party. In order to maintain that balance, because Commissioner Commissioner Monzo is a Council appointment and a registered Republican, and the other 3 Council appointments include 1 Republican and 2 Democrats, the person taking his seat would need to be either a registered Republican or an Independent. The Commission further reviewed the membership roster and it was noted that Commissioner Toliver's term expires in January 2020, but he has indicated in prior meetings that he is willing to continue to serve and to be reappointed for an additional term.

### **MEMBERS OF THE PUBLIC:**

Sidney Liebesman, Esquire; Johnna Darby, Esquire; and Walt Rashdan, all members of the Wilmington, DE, office of Fox, Rothschild, LLP, were present for the meeting.

At 5:35 p.m., Commissioner Jensen made a motion to move into the Executive session of the meeting, Commissioner Ralston seconded the motion. The motion passed unanimously, 4-0.

At 7:16 p.m., Commissioner Tetrick made a motion to return to the Public session. Commissioner Jenson seconded the motion. The motion passed unanimously, 4-0.

AO19-04 will be reviewed at the January 16, 2020 meeting.

C19-05 – Commissioner Ralston made a motion to move this matter into formal investigation. Commissioner Tetrick seconded the motion. The motion passed unanimously with a vote of 4 – 0.

C19-02 – Commissioner Ralston made a motion to move this matter to formal investigation with the consideration that if the Commission decides to issue a probable cause report at the close of the formal investigation, this matter may be consolidated with C17-03 for hearing purposes. The motion was seconded by Commissioner Jenson and the motion passed unanimously, 4 – 0.

At 7:19 p.m., Commissioner Jensen made a motion to adjourn the meeting and Commissioner Tetrick seconded the motion. The motion carried unanimously.

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