

**Delaware Coalition for Open Government  
Virtual Board Meeting by Zoom  
Tuesday, August 1, 2023**

**CALL TO ORDER:** John Kowalko III called the meeting to order at 6:39 p.m.

**Pre-board reports:**

1. Minutes of May 2, 2023, and June 6, 2023, were approved as presented.
2. Bank Statements of June 30, 2023, and July 31, 2023
3. Treasurer's Report of June 30, 2023, and July 31, 2023, Treasurer Reports

**PRESENT:** Letty Diswood, John Flaherty, Al Jackson, John Kowalko III Coralie Pryde, Cynthia Smith,

**Absent:** David Breen, Anita Rush, Nick Wasileski

**DelCOG Members:** Alan Hesley, Sharon Kwiatkowski, Connie Merlet, and Rep. John Kowalko,

**ORDER OF BUSIENSS**

1. **Introduction:** Kowalko III welcomed board members, DelCOG members and guests.
2. **Meeting Minutes:** A motion to approve minutes of May 2, 2023, and June 6, 2023 as presented, was seconded and approved unanimously.
3. **Treasurer Report:** Anita Rush noted that there was no activity in May and gave the following Treasurer's Reports.

The current balances in the checking and savings accounts:

- WSFS checking account balance as of June 30, 2023, was \$3,853.27.
- WSFS savings account balance as of June 30, 2023, was \$4,781.53.
- Total account balance as of June 30, 2023, was \$8,634.80.

**The Treasurer's report was accepted and filed.**

The current balances in the checking and savings accounts:

- WSFS checking account balance as of Julye 31, 2023, was \$3,853.27.
- WSFS savings account balance as of July 31, 2023, was \$4,782.34.
- Total account balance as of July 31, 2023, was \$8,635.61.

**The Treasurer's report was accepted and filed.**

**COMMITTEE REPORTS:**

1. **Inspector General Chapter Committee:** Kowalko, III reported that no General Inspector bill was introduced in the last session, however the bill was ready since January 2023. Discussion centered on finding other sponsors or cosponsors for the session starting January 2024.

The next opportunity for DelCOG to make comments will be at the Governor's budget hearing in November.

2. **Inspector General Book Chapter Committee:** No report. Kowalko, III noted that Wasileski and Ward are following up with the editors.
3. **LLC Committee Updates:** No update at this time.
4. **FOIA Committee:** Kowalko, III – The committee will meet in October and November to discuss what DelCOG’s priorities can be and a method to track bills so that we are prepared to make comments and a plan of action.

## UNFINISHED BUSINESS

1. **Lead Free Delaware Update:** Amy Roe and Sarah Bucic had sent an email that listed their accomplishments and what still needs to be worked on. It is posted at the end of these minutes. There were no new updates. Flaherty noted that Row and Bucic deserve thanks for all the fabulous work they have done on this issue.
2. **Seaford Elections HB 121:** This bill will allow LLCs who own property to have a vote in local elections. A substitute bill requires certification of ownership. Thankfully this bill did not pass. It drew national attention. DelCOG opposed this bill along with other good government groups.
3. **HB 104 Land Use Application Exemption:** This bill passed but was opposed by DelCOG and all environmental groups. This bill assists in expediting the process for economic development projects in the State of Delaware with some exemptions from the PLUS process. A project located in Investment Level 1 or 2 under the Strategies for State Policies and Spending that is consistent with local zoning and any local comprehensive plan that will create full-time jobs is exempt from the pre-application process unless required by the local government or requested by the applicant. The Governor has signed the bill.
4. **HB 39 Police Fund:** Kowalko, III - The bill is still in the House Appropriations Committee. It has a \$20 million fiscal note with 10 years to spend it. DelCOG opposes the bill because there is no oversight on how the money will be spent. There is no movement on this bill right now to get it passed.
5. **HB 96 School Board Elections:** It allows persons 16- and 17-year-old to vote in school board elections. DelCOG supports this bill which has been tabled. Discussion centered on how we can educate the public, that it is a step in the right direction to get young people to be involved in their civic duty and education.

DelCOG could develop a pro and con on the issues that we support and be prepared ahead of time before hearings take place.

6. **Common Cause Award** sponsorship: Kowalko III will be reimbursed for the \$400. Kudos to Common Cause for the successful job they did.

## NEW BUSINESS

1. **Organizational Development:** Kowalko III will be looking for volunteers to serve on the Bylaws Committee. The bylaws need to be tweaked and clarified because some of the requirements are confusing and not well spelled out.

Kowalko II also requested board members and former board members check their files for DelCOG's legal papers, including the IRS designation letter. If people have opened articles and letters and other pertinent items please send them to him.

Kowalko III needs certain legal papers so that Ward can set up a new website to get the nonprofit rates.

2. **Lobbyist for DelCOG:** A motion to register John Flaherty to be DelCOG's lobbyist was seconded and approved unanimously.  
A motion to register Coralie Pryde to be DelCOG's lobbyist was seconded and approved unanimously.
3. **Website Committee:** No report.
4. **The NFOIC Conference** will take place In October 2023, and all are encouraged to sign up when the details are available. It will be virtual and very low cost.
5. **Whistle Blower Summit July 27, 2023:** Cyntia Smith attended this 3-day summit and will share some information by email after the board meeting. She suggested DelCOG provide a venue to do a presentation on this important topic next year. Possible for Sunshine Week 2024. It is a nonpartisan issue.

## OPEN FORUM

1. **Alan Henley** discussed the police radio encryption system that the state police and consequently all the police agencies in Delaware use that prevents reporters from getting timely information. This was instituted for radio feed 2 years ago and stopped reporters from accessing the feed. State police reasons are to protect confidentiality and the privacy of victims and the accused and family members. This also prevents people from showing up at crime scenes and taking video when police make an arrest.

Flaherty suggested bringing up the issue at the public hearing when the Governor's Budget is being presented in November as this would be the opportunity for legislators' attention.. Flaherty will send around the calendar when it is available. It was noted that California and Colorado have legislation addressing this issue.

The request could be to ask that media and public access primary dispatch of police agencies.

Next board meeting will be Tuesday, September 5, 2023 at 6:30 p.m. by zoom.

The meeting adjourned at 8:18 p.m..

Submitted by Letty Diswood, Secretary

## CHILDHOOD LEAD REPORT – Amy Row and Sarah Bucic.

From: Amy Roe <[amywroe@gmail.com](mailto:amywroe@gmail.com)>

Date: Tue, Jul 18, 2023 at 12:54 PM

Subject: Lead Poisoning: SB 9 Signed, CLPPAC must begin its work

To: Amy Roe <[amywroe@gmail.com](mailto:amywroe@gmail.com)>, Sarah B Bucic <[sarah.bucic@gmail.com](mailto:sarah.bucic@gmail.com)>

[SB 9 w/ SA1 and HA1](#) was signed yesterday by Governor Carney, renaming the Childhood Lead Poisoning Advisory Committee to the Childhood Lead Poisoning **Prevention** Advisory Committee (CLPPAC). It also:

1. Initiated the creation of Delaware's Lead-Based Paint Program to provide lead abatement of housing of children with already-documented elevated blood lead levels.
2. Expands the membership of the Childhood Lead Poisoning Prevention Advisory Committee from 9 to 14, with three additional public members appointed by the Governor, and one each appointed by the Senate Pro Tem and the Speaker of the House.
3. Expands the duties of the Childhood Lead Poisoning Prevention Advisory Committee to include submitting a plan to the Governor and the General Assembly for prompt inspection and, where necessary, abatement or remediation of lead-based paint in all pre-1978 rental properties, which is **to be completed by January 1, 2024**.
4. Sets the action level for a home inspection to correspond with the recommendations of the CDC's Blood Lead Reference Value, which was lowered from 5 to 3.5 µg/dL in 2021.

We request that the Governor, the Speaker of the House, and the Senate Pro Tem to make their appointments prior to tomorrow's [CLPPAC meeting \(7/19/23 from 1:30-3:00 pm\)](#), and for the Secretary of DHSS to fill the seat that has been vacant since August 2022.

We call on the CLPPAC to establish a monthly meeting schedule that allows adequate time to deliberate and fulfill the January 1, 2024 deadline for lead-safe rental housing, and that this process should be inclusive and democratic; and to immediately put DHSS staff to work collecting information on similar programs that have been successfully implemented in other jurisdictions, so that Delaware can learn from both the successes and challenges faced by those programs. Meeting 4 times/year for only 90 minutes is not adequate to accomplish the existing required tasks of the CLPPAC, as evidenced by their inability to publish their required reports for the past two years.

**Join us to celebrate SB 9!** [Action for Delaware's Children](#), which has been prominent in the lead poisoning prevention effort, particularly with SB 9, is planning an event this month to celebrate accomplishments.