

**Delaware Coalition for Open Government
Virtual Board Meeting by Zoom
Tuesday, June 11, 2024**

CALL TO ORDER: John Kowalko III called the meeting to order at 6:33 p.m.

Pre-board Reports:

1. Minutes of May 6, 2024
2. Bank Statements of May 31, 2024,
3. Treasurer's Report of May 31, 2024
4. DelCOG Agenda June 11, 2024
5. Copy of a letter to the Delaware General Assembly from State Auditor Lydia York
6. Copy of a letter to the Delaware Legislative Leadership from Karryl Hubbard Secretary of Labor and Rick Geisenberger Secretary of Finance regarding the Division of Unemployment Insurance (DUI) and the Unemployment Trust Fund.
7. Email message from Nick Wasileski to the DelCOG board members outlining issue with "failure to disclose" the embezzlement of funds from the Department of Labor.
8. Email from Nick Wasileski with another draft of an op-ed to address the need for an IG.
9. Message from President Kowalko regarding the Inspector General Bill SS 1 for SB 21 and next steps.

PRESENT: David Breen, Letty Diswood, John Flaherty, Al Jackson, Coralie Pryde, Anita Rush, Nick Wasileski.

Absent: John Kowalko III, Sharon Kwiatkowski, Cynthia Smith.

DelCOG Members: Connie Merlet, John Kowalko, Sr., Lynn Manasco, Warren Rosenkranz, Katherine Ward, Amy Row.

Quick recap and Next steps (from AI)

- John Flaherty to call the Joint Finance Committee and get copies of their minutes to see if anybody put forth an amendment to fund the Inspector General.
- Nick Wasileski and Katherine Ward to polish the op-ed and send it to the news media as soon as possible.
- Nick Wasileski to email Andrew Bernstein at the ACLU of Delaware that DelCOG is a signatory to the letter supporting Senate Bill 3 with the amendment.
- Katherine Ward to send an email to the website committee members with proposed dates for a meeting in July to begin work on the new website.
- Amy Row to represent DelCOG in opposing the provision in Senate Bill 13 that exempts the Healthcare Facility Assessment Fund Commission from the public meeting rule of FOIA.

- John Flaherty to work with Alan Henney and Walt Palmer on when and to whom to present their statement about the police radio encryption issue.
- Nick Wasileski to follow up on the plans regarding requesting an investigation into the Department of Labor embezzlement case.

ORDER OF BUSINESS

1. **Introduction:** John Flaherty presided in the absence of President Kowalko. Flaherty welcomed board members, DelCOG members and guests.
2. **Board Meeting Minutes:** The board meeting minutes draft #2 of May 6, 2024, was accepted with no substantive changes other than a few minor edits from K. Ward to be included.
3. **Treasurer Report:** Anita Rush reviewed the reports.
The current balances in the checking and savings accounts:
 WSFS checking account balance as of May 31, 2024, was \$2,543.99.
 WSFS savings account balance as of May 31, 2024, was \$7,794.26.
 Total account balance as of May 31, 2024, was \$10,338.25.

The Treasurer's report was accepted and filed for audit review.

COMMITTEE REPORTS

1. **Inspector General Committee:** Nick discussed the stalled Inspector General Bill in the legislative session, which had not been forwarded for discussion in the Senate Finance Committee. He also referred to an interview by a WHY Y reporter with Senator Dave Sokola, who expressed support for the concept of an Inspector General but showed a lack of enthusiasm for the bill from outgoing Governor John Carney. Connie shared her past conversation with Governor Carney about the bill and expressed her concerns about the lack of support from both the Governor's office and the Senate Chamber. She also hinted at potential conflicts of interest within the Governor's office. A motion to approve a draft op ed that had been circulated by email was approved with a stipulation that the authors can make changes as needed.
2. **The Inspector General Book Chapter.** Katherine Ward reported the final version was sent to R K in Colorado and she will keep board posted if there are new developments.
3. **FOIA Committee:** No additional information reported other than DelCOG continue supporting bills approved at an earlier meeting.
4. **LLC Committee Updates:** No update.
5. **Bylaws and Procedures Committee:** The committee will meet in July.
6. **Website Committee:** No new updates.

7. **The Sunshine Week Committee:** The committee proposed to move this forum to November 2024 or next Sunshine Week in 2025.

UNFINISHED BUSINESS

1. **Police Radio Encryption:** No update.
2. **Organizational Development:** Report deferred to next meeting.
3. **General Assembly Renovation:** Flaherty expressed his objections to the proposed \$131.5 million to double the General Assembly building, arguing that the money could be better spent elsewhere, especially given the current state of vacant commercial properties.
4. **HB 291, HB 292, HB 319:** There was a discussion of two campaign finance reform bills, one regarding contribution limits and another targeting nepotism in state government. Flaherty questioned if a letter was sent to the legislature regarding the bill that was recommended in the May board meeting minutes.
5. **NFOIC dues:** The dues have been paid.

NEW BUSINESS

Delaware Embezzlement and Reporting Requirements

Nick discussed the issue of embezzlement in the state of Delaware and the failure of the Department of Finance and the Office of Accounts to disclose such activities as required by the Delaware code. He emphasized that this non-compliance threatened the state's constitutional integrity and expressed disappointment with the state and some of its officials for their perceived attempts to bypass the Delaware code. He suggested the potential need for an Inspector General to move the burden of responsibility from the officials to an independent, nonpartisan role. He also noted that two entities, the Delaware Department of Labor, and the Delaware Department of Finance, would be required to make a formal report to the General Assembly in July about their actions and activities, a move he identified as a potential delay tactic to push the issue further down the line.

Delaware Voting Expansion and Website Plans

Wasileski had received a request from the ACLU of Delaware to inform DelCOG members about Senate Bill 3, which aims to expand voting options in Delaware, including early voting and absentee ballots without an excuse. A motion to support SB 3 was seconded and approved unanimously.

Additionally, Ward reported that she had contacted members of the website committee to schedule a meeting to begin work on the new website in July.

Lastly, Flaherty suggested that the process of discussing the biennial elected officials' reception could begin at the next meeting.

OPEN FORUM

Healthcare Facility Assessment Fund Bill

Amy Row discussed SB 1 for SB 13 the Healthcare Facility Assessment Fund bill, with Amy voicing her concerns about its potential to keep confidential health information from being part of the public record. A motion was made, seconded, to give Amy the authority to represent DelCOG in this matter and approved with one abstention.

The next board meeting will be on Tuesday, July 9, 2024, at 6:30 p.m. by zoom.

The meeting was adjourned at 7:25p.m.

Submitted by Letty Diswood, Secretary with help from AI.