

**Delaware Coalition for Open Government  
Virtual Board Meeting by Zoom  
January 6, 2022**

**CALL TO ORDER:** Keith Steck, President called the board meeting to order at 6:35 p.m.

**Pre-board reports:**

1. Treasurer's Report of December 31, 2021.
2. Email from John Flaherty: New Years Resolution to present to Delaware State Legislators.
3. H.B. 269 relating to the Freedom of Information Act. (3/2/2016)

**PRESENT:** David Breen, Letty Diswood, John Flaherty, Al Jackson, John Kowalko III, John Morgan, Coralie Pryde, Anita Rush, Keith Steck, Nick Wasileski

Absent: None

1. **DelCOG members and guests:** Cynthia Smith, James Martin, Rep. Mike Ramone, Katherine Ward,

**REGULAR BUSINESS**

1. **Introductions:** Keith Steck called the meeting to order at 6:35 p.m., welcomed everyone and introductions were made.
2. **Appointment of Board Members:** Steck appointed new board members David Breen and John Kowalko III, and reappointed John Morgan, John Flaherty, Nick Wasileski, and Coralie Pryde. Breen is knowledgeable about IT issues and will update the DelCOG website and John Kowalko, III is an attorney.
3. **Meeting Minutes:** Minutes of December 8, 2021, were approved.
4. **Treasurer Report:** Anita Rush gave the report for December 2021.  
The current balance in the checking and savings accounts:  
    WSFS checking account balance as of December 31,2021, was \$3,891.55.  
    WSFS savings account balance as of December 31, 2776.77  
    Total account balance as of December 31, 2021, was \$6,668.32.  
The treasurer's report was accepted.  
DelCOG received donations in December: \$300 deposited into the checking account and \$1000 to the savings account.

**COMMITTEE REPORTS:**

1. **Inspector General Update:** Steck reported that there is no action on the proposed legislation. He is waiting for the Delaware General Assembly to reconvene. Steck or John Kowalko III will be following up on the status of the legislation and also may look at tightening up definitions.
2. **FOIA Committee:** Steck reported that we are waiting to see what is going to happen in the General Assembly, and he is not sure if anything will be introduced. We are in a holding pattern.

3. **Nepotism:** Steck noted this committee is also in a holding pattern until the General Assembly session resumes.

## **UNFINISHED BUSINESS:**

1. **Delaware General Assembly efforts to revise LEOBOR (outgrowth of the Law Enforcement Task Force):** Steck noted that we are all waiting to see what language will be included in the proposed legislation.
2. **Issues Up and Down Delaware:** Steck reported that redistricting is in the last stages and that the Delaware Senate and House have passed legislation and maps. The next phase is done at the county level for councils and Levy Court. Each county is doing redistricting differently; some with public input and others not.

Sussex County Council is proposing an ordinance to address set back of wetlands that would not allow for public comment. Advocates are following this issue closely.

The public is unable to access a data base containing statewide data on the source water protection program. It is important to have access to assess development proposals.

3. **Delaware General Assembly Email Transparency:** John Flaherty and John Morgan have differing points of views regarding removing exemptions to legislators' emails from the current FOIA. A lively discussion ensued pointing out the pros and cons including unintended consequences. It was agreed that DelCOG looks at both sides of the argument. Steck will follow up with NFOIC to see if in other states any harm has come of removing exemptions to legislators' emails. (*PS: We really need the pro and con for this issue.*) Flaherty believes there is merit to have a bill introduced so it is on the record, discussed and debated, and have support and opposition on the record. Concerns raised were the risk to private communications, not make constituents vulnerable to retaliation by their employer, and the perception of confidentiality may be compromised.

## **NEW BUSINESS**

1. **Access to Public Information via Private Vendors:** This topic was be moved to the next meeting.
2. **Sunshine Week March 13-19, 2022:** Katherine Ward discussed a proposal to host a program with the Delaware Press Association in a virtual setting (Zoom).  
The following needs to be decided:
  - Topic, Format, Speakers or Panel, title of event, committee develop timeline, plan event, and PR.
  - Focus: Freedom of Information and the Right to Access to information.
  - Need moderator and incorporate audience in Q & A.It was decided to hold the forum Wednesday, March 21 or 16 at 6 – 8 p.m.  
Provide moderator from DelCOG and allow for 2-3 panelists.

Suggestions for panelists included: Dana Roboch (spelling) from Open Data Council who could speak about government via the data center ??? Chris Carl from WDEL, a legislator or staff person.

**Planning Committee volunteers:** Cynthia Smith, Keith Steck, Katherine Ward, Nick Wasileski, and John Kowalko, III. Ward will arrange a meeting by Zoom.

3. **UD Searches for Administrators-Conduct and Transparency:** John Morgan discussed that the search for Provost is not being done in a transparent manner. Morgan would like board members to contact their legislators and he will send an email to board members with wording about what to convey to legislators regarding this issue.
4. **Patriots for Delaware Request for DelCOG Sponsoring Voting Integrity Town Hall:** John Flaherty had sent out a notice to DelCOG board members to get back to him regarding this request. The response was overwhelmingly not in favor of cosponsoring this Town Hall. Steck suggested to Flaherty that the Patriots for Delaware should go to the relevant authorities such as the Department of Elections with any issued they may have regarding election security and the election process.
5. **Delaware Judicial Proceedings During Covid:** James Martin – This item was moved to the next meeting.
6. **Raising DelCOG Awareness:** Steck discussed how we can go forward. DelCOG has done this through a variety of activities such as letters to the editor, cosponsoring forums, and press releases. DelCOG also now has representation in Sussex, and we need to seek out individuals in Kent County.

## **OPEN FORUM**

**(There was no time left)**

Next DelCOG board meeting is scheduled for Thursday, February 3, 2022, from 6:30 – 8:30 p.m.

Adjourned: 8:40 p.m.

Submitted by,  
Letty Diswood  
Secretary