

**Delaware Coalition for Open Government
Board Meeting Minutes
Tuesday, October 14, 2025**

CALL TO ORDER: President John Kowalko III called the virtual board meeting to order at 6:35 p.m., via Zoom.

PRESENT – Officers and Board Members: John Kowalko III, president; Al Jackson, vice-president; Anita Rush, treasurer; Nick Wasilesk, secretary; John Flaherty, Coralie Pryde, Bill Shields, Keith Steck; **Advisory Board Member:** Katherine Ward; **Members and Guests:** Dave Breen, Bob Erenburg, Connie Merlet, Amy Roe, and Warren Rosenkranz.

ORDER OF BUSINESS

Board Meeting Minutes were approved for the month of September 2025.

Treasurer’s Report:

- Checking Account: \$4,450.57
- Savings Account: \$9,811.90
- Total Balance as of September 30, 2025: \$14,262.47

COMMITTEE REPORTS

Inspector General Committee: Steck reported that the Inspector General Selection Panel has met and is establishing the criteria for the IG candidates.

Delaware Corporate Law Committee: Wasileski reported that Montana is advertising for out-of-state residents to register their cars in its state to evade car registration taxes, which is a violation of Delaware law.

Technology Committee: Kowalko III reported that DelCOG’s website has been continually updated to reflect events and new items of interest.

Bylaws Committee: The Committee forwarded amendments to DelCOG’s bylaws. Flaherty moved that the bylaws amendments be adopted, as of October 14, 2025, and the board voted unanimously to approve the amendments. Wasileski noted that the annual 990EZ tax form requires notification of any bylaws changes.

Nominating Committee: The Committee reported that all votes for new officers are due by October 18, 2025. The nominees are as follows: Keith Steck, president; Bill Shields, vice-president; Anita Rush, treasurer; and John Kowalko III, secretary.

Data Center Committee: Steck reported that members of the public and numerous elected officials at the state and county level, as well as nonprofits organizations (e.g. the Sierra Club) are concerned about the negative aspects of the proposed 1.2 gigawatt hyperscale data center

planned for New Castle County. Concerns are residential electricity rates, water consumption, and noise and light pollution. DelCOG suggested that new state and county ordinances are needed to address concerns. DelCOG's position is that residents should be aware and informed, and be able to address their concerns through public comment.

UNFINISHED BUSINESS

General Assembly Renovations, SB 13, Hospital Assessment Commission, and HB 311 School Safety Zone will be deferred until the General Assembly meets in the 2026 legislative session.

Sunset Committee Lead Programs Review: Roe reported the Department of Education will reach out to the school districts for specific information concerning how the \$3.4 million allocated for school water filters to address lead contamination is being spent.

NEW BUSINESS:

Legislation Signed into Law: Flaherty emailed a list of all bills signed into law during the 2025 Delaware legislative session. Flaherty reported that more bills passed by the General Assembly need to be signed by the governor.

Support for ACLU FOIA Lawsuit: Steck suggested that DelCOG support the ACLU lawsuit in Delaware Supreme Court, concerning FOIA problems in state agencies. It was suggested that at the December board meeting DelCOG will discuss joining the lawsuit in some capacity.

OPEN FORUM:

Roe informed DelCOG that Delaware FOIA does not require written public comments to be accepted by state agencies or committees. Roe suggested that DelCOG address FOIA amendments to require that written public comments must be on the public record. Roe also reported that five members of the General Assembly went to Israel and questioned how, as state officials, the trip was reported as accepting gifts.

Ward suggested possible topics for the 2026 Sunshine Week event: 1) a speaker on strengthening FOIA; 2) a speaker from the Student Press Law Center, which has protected First Amendment Rights for student journalists since 1974.

The next board meeting is scheduled for December 2, 2025.

ADJOURNMENT: The meeting was adjourned at 7:51 p.m.

Submitted by Nick Wasileski, Secretary