

**Remarks at the New Castle County Council Meeting of January 9, 2018
Addressing Resignation Resolution No. 18-022 by Mr. Smiley**

Introduction

A couple of Councilmembers are clearly obsessed with me, in fact three members of Council introduced legislation stripping powers of the President two weeks before I took office. We see this obsession in the newspaper, on the radio, in Committee Meetings, Council Meetings and a plethora of emails. The past eight months saw tens of thousands of wasted tax dollars spent on a meritless claim of harassment¹, by an Aide, who not only complained about me, but also voiced harassment complaints against other members of Council and cried to me as she recounted those allegations. Those claims were passed along to the appropriate person. Yet, a few politically motivated Councilmembers co-opted those claims of harassment and diverted the focus upon me by initiating a rigged investigation, both procedurally and legally flawed from the very start – that by their own admission produced “no smoking gun”.

Everything that flowed and continues to flow from that flawed process – including the pending Resolution – is nothing more than the fruit from a poisonous tree. Tens of thousands of dollars wasted with no independent oversight and no transparency to those unfairly footing that bill. The whole nefarious scheme – including Councilman Smiley’s Resolution – is a scurrilous coordinated effort to take out the “People’s Choice” for New Castle County Council President who defeated an incumbent County Councilman – who will be now voting on this Resolution.

Recently Released Leaked Information

Recently, confidential Council documents were secretly leaked to the media.² I ask now that whoever provided documents to the media – which can only have been leaked by someone present in this room at this very moment – please rise and acknowledge yourself. . . . Just as I thought. I did not expect anyone to own it. The leaking of those documents is part of the continued scheme to achieve personal political objectives. In the process, Council rules are being violated and the public has understandably grown weary of this legislative body with some now arguing that County Council should be abolished.

Most people know something is wrong here, and the other side – my side -- has not been told – for it has been classified as a “New Castle County Council Personnel Issue”. This confidential protected personnel issue has now been repeatedly breached by those charged with its protection. I ask for leave to tell my side of the story and ask for the public release of all related documents including, the so-called secret report that has already been leaked to a member of the media with close ties to a certain few on this Council.

History of Council and Former New Castle County Council Presidents

An orchestrated attack on the New Castle County President by fellow Councilmembers is not new to this position. It began 51 years ago, in January of 1967³, and as the Council grew⁴, so

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did the conflicts amongst Members, including the Executive. What's different here is the unprecedented open viciousness and unscrupulous tactics with which it is being done now by a few Councilmembers – a sign of the times nationally of unfettered political attacks and falsified reports.

While running for this seat, I had the opportunity to speak with many former New Castle County Council Presidents. Like myself, none sitting in this seat were left unscathed. The smearing, the sabotage, the subversion, the belligerence, all carried out or directed by various officials and/or their proxies have become the norm. There is a long history of political warfare here in this Council. This is not new.

In addition, I discovered the women took the greater abuse and for longer periods of time than the men, with women not necessarily supporting the woman. This process of “going after” the President and taking of powers started for me soon after I was elected – before the “swearing in” even took place – was recently described by one employee as “hazing” and has varied from one to two years before things calm down, according to former Presidents.

Why am I bringing up past Presidents today? Because it's not only about today, it's about tomorrow's Council Presidents as well. History tells us what future Presidents will have to overcome just to have the opportunity, like me, to help people and serve others. To know that the first years in office could be spent helping the County and its citizen's move forward in a meaningful way instead of defending themselves is disheartening.

Valuable time is wasted, which is harmful to constituents, county finances, jobs, public safety, and business, and less attention focused on the quality of life decisions plaguing New Castle County, like development of former golf courses, the opioid crisis, mental health, and crime. This results in lost opportunities and fewer possibilities for the best tomorrow we could have experienced in New Castle County.

It's not possible for us to measure the long-term harm these prolonged attacks on Council Presidents have caused our County Government. I can only hope that it is better in the future by bringing greater awareness now to this entrenched problem. For today, many are calling for the abolishment of New Castle County Council altogether because of the obsessive malignant actions of a few Councilmembers, calling it an expensive ineffective government.

I want to emphasize at this point, it is not all Councilmembers behaving in this manner. Most here are doing a great job, they focus on their districts and their constituents, and steer clear of the drama-makers. Like all organizations, a few bullies left unchecked allow the power-grabbers and the greedy to take over. And when everything doesn't go their way, then it gets ugly.

The Power of Money and Position to Influence

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These same power-grabbers realized that one way to harm the Council President is for the Chair of the Personnel Committee and political opponent of the President to misuse their authority and take advantage of a compromised employee who cried many times over being, quote, harassed by several members and employees of Council— an employee guilty of resume fraud who did not have the knowledge, skills, abilities, or experience claimed. An employee who was worried about losing her job because of her poor work performance, who hid the fact that she embezzled almost \$50,000 from two former employers in Arizona, was sentenced to and served several months in jail, and furthermore concealed from the County that she was on probation at the time she was hired.

Near the conclusion of the rigged investigation⁵ – with the Aide getting paid by the County to stay home, while a job in the Auditor's Office was created for her – the Aide's real background was discovered. The 60-page public criminal file revealed a much different picture than her falsified resume she presented to the County. The Personnel Chair chose not to distribute to Councilmembers this important information. Council rules dictate that immediate termination of the Aide was in order for that misconduct⁶. Instead, the Personnel Chair decided the scheming Aide should get more taxpayer money. Not the rumored half million on the table, and no job offer, but instead "go-away money" of three months' severance and healthcare benefits.

Instigating this fiasco, Ms. Kilpatrick, the Personnel Chair. She made the complaint⁷ on the Aide's behalf, controlling the process, information⁸, and the Aide herself. She also negotiated the settlement, unilaterally signed the settlement agreement for Council, wrote and likely leaked targeted emails for the press created to damage the President, and buried the Aide's⁹ and Council's violations¹⁰ of the Employee Handbook¹¹. A self-appointed Judge, jury, and executioner controlling the process.

Irony of Mr. Smiley Demanding a Resignation

Today, Mr. Smiley is demanding my resignation. Today again, we all see Mr. Smiley's ongoing contrived political theatre and his negative campaigning on the taxpayer's dime. The irony is that I would not have asked Mr. Smiley to resign even now after learning he was caught misappropriating money by his former employer, the Teamsters.¹² Nor, would I have asked for his resignation when he reportedly sexually harassed a County Council employee. Nor, am I asking for Mr. Smiley's resignation following the misrepresentations of fact perpetrated in this Resolution¹³ before us now. Mr. Smiley's history of deception tells the story of who he is even today. However, he is an elected official and it's up to the voters to decide if he is to be returned to office.

As for this Resolution. This is legislative gibberish. This is seriously flawed legislation that misrepresents the intent of the selected rules from the New Castle County Council Employee Handbook inserted in this Resolution. Further, there was only full cooperation on my part in the

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investigation completed in August of 2017, nearly five months ago. This is simply political theatre and Mr. Smiley's negative campaigning on the taxpayer's dime.

Constituents Know What They Want

The constituents of this County know what they want, including their right to choose their representation. Just listen. They know. They're crystal clear. They don't want negativity – they want positivity – and possibilities. They don't want to pay for politically motivated schemes. They want better governance. They want to know Council's focus is on serving them, and that their interests are the ONLY interests served. And they don't want wasteful spending of their money – leading to new tax increases. After over a year of patiently addressing attacks from the obsessed, politically motivated few, it's past time for us to move on to what is important for the constituents of our County.

Going Forward With More Transparency

Going forward in the spirit of more transparency, real-time information, and accuracy – legislation is being drafted requiring Council and Committee Meetings to be telecast and streamed live. It is my hope that with your help and support bringing the work of this Council directly to the public will inspire the caring, creativity, and focus necessary to bring forth our best work and a future full of possibilities for the constituents of New Castle County.