

ALASKA PUBLIC OFFICES COMMISSION
MINUTES
REGULAR COMMISSION MEETING
SEPTEMBER 13, 2017

A regular meeting of the Alaska Public Offices Commission (APOC) came to order at 9:00 a.m. on Wednesday, September 13, 2017. The meeting was held in the Elizabeth J. Hickerson Hearing Room at 2221 East Northern Lights Boulevard, Anchorage, Alaska.

Brackets [] indicate an agenda item number and that an information packet is included in the meeting binder. Asterisks * indicate that no information was included in the meeting binder.

In-Person Attendance

Commission: Thomas Temple, Chair
Irene Catalone, Commissioner
Robert Clift, Commissioner
Ronald King, Commissioner

Staff: Heather Hebdon, Executive Director
Thomas Lucas, Campaign Disclosure Coordinator
Delight Mells, Paralegal II
Michael Schwahn, Paralegal I
Maria Bulfa, Law Office Assistant II

Dept. of Law: Mary Lynn Macsalka, Assistant Attorney General
Dave Jones, Assistant Attorney General

Attendees: Shalome Cederberg, Office of the Governor
Eugene Haberman, Observer

Candidate CPAs

Representative Lance Pruitt
Representative Chris Tuck
Representative George Rauscher

POFD CPAs and Referrals

David Barton, Commission for Human Rights

POFD Exemption Request Appeal – Lee Holen

Lee Holen, Alaska Labor Relations Agency
Nicole Thibodeau, Alaska Labor Relations Agency

Complaint 16-05-POFD, Jeff Landfield v. Natasha Von Imhof

Tom Amodio, Counsel for Respondent

Telephonic Attendance

Attendees: Dan Fox, Skagway Newspaper
Emily Files, KSA Skagway

POFD CPAs and Referrals

Claudia Pinard, City of Wasilla Planning Commission
Lisa Gentry, Fairbanks North Star Borough School Board
Bryant Hammond, Nome City Clerk

POFD Exemption Request Appeal – Lee Holen

Heidi Drygas, Department of Labor

Complaint 17-01-POFD, Lynne Cameron v. Daniel Henry

Lynne Cameron, Complainant
Daniel Henry, Respondent

Complaint 17-02-POFD, Robert Griffin v. Daniel Henry

Robert Griffin, Complainant
Daniel Henry, Respondent

ON RECORD 9:00 A.M.

Chair Temple took a roll-call of the Commissioners present and called the meeting to order.

Approval of the Agenda [*]

Commissioner King moved to approve the agenda as written.

Commissioner Clift seconded the motion.

The Commission voted 4-0 to approve the agenda as written.

Approval of Meeting Minutes [1]

June 7, 2017 – meeting minutes

Commissioner Catalone moved to approve the meeting minutes as written.

Commissioner King seconded the motion.

The Commission voted 4-0 to approve the June 7, 2017 meeting minutes as written.

August 17, 2017 – meeting minutes

Commissioner Catalone moved to approve the meeting minutes as written.

Commissioner King seconded the motion.

The Commission voted 4-0 to approve the August 17, 2017 meeting minutes as written.

OFF RECORD 9:02 A.M.

ON RECORD 9:05 A.M.

Consent Agenda, Candidate Civil Penalty Appeals [2]

The staff recommendations were presented by Thomas Lucas, APOC staff.

Commissioner King moved to approve the staff recommendations for civil penalty appeal items 1, 2 and 4 on the consent agenda.

Commissioner Clift seconded the motion.

The Commission voted 4-0 to approve the staff recommendations for civil penalty appeal items 1, 2 and 4 on the consent agenda.

At the request of the filers, items 3 and 5 were removed from the consent agenda to be considered individually by the Commission.

Rep. George Rauscher

LATE REPORT:

MAXIMUM CIVIL PENALTY:

STAFF RECOMMENDATION:

2016 Primary Election

24-Hour Report

\$29,500

Reduced by 99% to \$295

Representative Rauscher appeared in person gave a brief statement and answered questions of the Commission.

Commissioner King moved to consider the matter in executive session.

Commissioner Clift seconded the motion.

The Commission voted 4-0 to consider the matter into executive session.

Rep. Chris Tuck

LATE REPORT:

MAXIMUM CIVIL PENALTY:

STAFF RECOMMENDATION:

2016 General Election

24-Hour Report

\$29,500

Uphold Maximum Penalty

Commissioner King moved to consider the matter in executive session.

Commissioner Clift seconded the motion.

The Commission voted 4-0 to consider the matter into executive session.

Rep. Chris Tuck

LATE REPORT:

MAXIMUM CIVIL PENALTY:

STAFF RECOMMENDATION:

2016 General Election

2016 Year End Report

\$50

Reduced by 25% to \$12.50

Representative Tuck appeared in person gave a brief statement and answered questions of the Commission.

Commissioner King moved to consider the matter in executive session.

Commissioner Clift seconded the motion.

The Commission voted 4-0 to take both matters into executive session.

Consent Agenda, Group Civil Penalty Appeals [3]

The staff recommendations were presented by Michael Schwahn, APOC staff.

Commissioner King moved to approve the staff recommendations for civil penalty appeal items 1 - 5 on the consent agenda.

Commissioner Catalone seconded the motion.

The Commission voted 4-0 to approve the staff recommendations for civil penalty appeal items 1 - 5 on the consent agenda.

OFF RECORD 9:40 A.M.

ON RECORD 9:45 A.M.

Consent Agenda, POFD Civil Penalty Appeals [4]

The staff recommendations were presented by Delight Mells, APOC staff.

Commissioner King moved to approve the staff recommendations for civil penalty appeal items 1 - 22 and 24 on the consent agenda.

Commissioner Clift seconded the motion.

The Commission voted 4-0 to approve the staff recommendations for civil penalty appeal items 1 - 22 and 24 on the consent agenda.

At the request of the filer, item 23 was removed from the consent agenda to be considered individually by the Commission.

Claudia Pinard

LATE REPORT:

MAXIMUM CIVIL PENALTY:

STAFF RECOMMENDATION:

City of Wasilla Planning and Zoning Commission

Annual POFD Statement

\$140

Reduce by 50% to \$35

Ms. Pinard appeared telephonically and gave a brief statement and answered questions of the Commission.

Commissioner Clift moved to consider the matter in executive session.

Commissioner King seconded the motion.

The Commission voted 4-0 to consider the matter in executive session.

Consent Agenda, POFD Referrals to Attorney General's Office [4]

The staff referrals were presented by Delight Mells, APOC staff.

APOC staff requested that items 25, 27, and 30 be removed from the consent agenda as the civil penalties had been paid.

Commissioner King moved to remove items 25, 27, and 30 from the consent agenda

Commissioner Clift seconded the motion.

The Commission voted 4-0 to remove items 25, 27, and 30 be from the consent agenda

APOC staff requested items 36, 37, and 39 be removed from the consent agenda as delinquent statements had been filed, civil penalties assessed, and were awaiting possible appeals.

Commissioner King moved to remove items 36, 37, and 39 from the consent agenda. Commissioner Clift seconded the motion. The Commission voted 4-0 to remove items 36, 37, and 39 from the consent agenda.

Commissioner King moved to approve referral to the Attorney General's Office for items 26, 28, 29, 31 – 35, 38 and 40 on the consent agenda. Commissioner Clift seconded the motion. The Commission voted 4-0 to approve referral to the Attorney General's Office for items 26, 28, 29, 31 – 35, 38 and 40 on the consent agenda.

Commissioner King moved to amend the meeting agenda to go into executive session to deliberate on pending matters. Commissioner Clift seconded the motion. The Commission voted 4-0 to amend the meeting agenda and go into executive session to deliberate on pending matters.

OFF RECORD: 10:05 A.M.

Executive Session

ON RECORD: 11:00 A.M.

Complaint 16-05-POFD, Jeff Landfield v. Natasha Von Imhof [5]

The staff report was presented by Tom Lucas, APOC staff. Tom Amodio counsel for Respondent appeared in person, gave a statement and answered questions of the Commission.

Commissioner Clift moved to approve the staff report as written. Commissioner King seconded the motion. The Commission voted 4-0 to approve the staff report as written.

POFD Exemption Request Appeal, Lee Holen [6]

Heather Hebdon, APOC staff gave a brief statement summarizing the request for exemption and staff's decision to deny the request.

The following individuals gave statements in support of the Exemption Request.

- Lee Holen, requestor
- Nicole Thibodeau, Hearing Examiner for the Alaska Labor Relations Agency
- Heidi Drygas, Commissioner, Department of Labor

Commissioner King moved to consider the matter in executive session. Commissioner Catalone seconded the motion. The Commission voted 4-0 to consider the matter in executive session.

**Commissioner King moved to amend the agenda to hear the Executive Director Report.
Commissioner Clift seconded the motion.
The Commission voted 4-0 to amend the agenda to hear the Executive Director Report.**

Executive Director Report [7]

The Executive Director Report was presented by Heather Hebdon, APOC staff.

Public Comment [*]

The following individuals appeared in person and spoke during the public comment period.

- Shalome Cederberg, Office of the Governor, Boards and Commissions Assistant
- Eugene Haberman, Observer

Commissioner King moved to amend the agenda to go into executive session to continue deliberations on pending matters.

Commissioner Clift seconded the motion.

The Commission voted 4-0 to amend the agenda to go into executive session to continue deliberations on pending matters. .

OFF RECORD 12:21 P.M.

Executive Session/Lunch

ON RECORD 2:00 P.M.

Complaint 17-01-POFD, Lynn Cameron v. Daniel Henry []**

The staff analysis of the complaint was presented by Heather Hebdon, APOC staff.

The following individuals appeared telephonically, gave statements and answered questions of the Commission.

- Lynn Cameron, Complainant
- Daniel Henry, Respondent

Commissioner King moved to take the matter under advisement.

Commissioner Clift seconded the motion.

The Commission voted 4-0 to take the matter under advisement.

Commissioner King moved to amend the agenda to go into executive session.

Commissioner Clift seconded the motion.

The Commission voted 4-0 to amend the agenda to go into executive session.

OFF RECORD 2:10 P.M.

Executive Session

ON RECORD 2:45 P.M.

Expedited Complaint 17-02-POFD, Roger Griffin v. Dan Henry []**

The Commission considered whether to grant expedited consideration of the Complaint, pursuant to provisions of AS 15.13.0380(b)-(c) and 2 AAC 50.888. Complainant Robert Griffin appeared telephonically and gave a statement in support of expedited consideration. Respondent Daniel Henry appeared telephonically and gave a statement in opposition of expedited consideration.

Commissioner King moved to deny the request for expedited consideration.

Commissioner Clift seconded the motion.

The Commission voted 4-0 to deny the request for expedited consideration.

Complaint 17-02-POFD was remanded to APOC Staff for investigation on a regular basis.

Commissioner King move to adjourn.

Commissioner Catalone seconded the motion.

The Commission voted 4-0 to adjourn the meeting.

OFF RECORD 2:56 P.M.