

ALASKA PUBLIC OFFICES COMMISSION  
MINUTES  
SPECIAL COMMISSION MEETING  
JULY 12, 2010

A special teleconference meeting of the Alaska Public Offices Commission came to order at 1:30 p.m. on Monday, July 12, 2010. The teleconference meeting was held at the Anchorage APOC office 2221 E. Northern Lights Blvd., Room 128, Anchorage, Alaska.

Brackets [] indicate an agenda item number and that an information packet is included in the meeting binders.

Asterisks \* indicate that no information was included in the meeting binders.

**In Attendance:**

**Commission:**

Elizabeth Hickerson – Chair  
Kathleen Frederick – Vice Chair (Telephonically)  
Shirley Dean – Commissioner (Telephonically)  
Kathleen (Kate) Ballenger – Commissioner (Telephonically)  
Kathleen King – Commissioner

**Staff:**

Holly R. Hill - Executive Director  
Jerry Anderson – Assistant Director  
Patricia Ware – Project Administrator, Juneau Office  
(Telephonically)  
Jason Brandeis – Associate Attorney II  
Amy H. Robinson – Associate Attorney II  
Kim Wilson – Associate Attorney I  
Vullnet Greva – Paralegal II  
Joan Mize – Paralegal I, Juneau Office (Telephonically)  
Wynona Sampson - Recording Secretary

**Attendee:**

Christopher Kennedy- Hearing Officer – Dept. of Administration  
John Ptacin – Assistant Attorney General- Dept. of Law  
Robert Reges – Attorney for CAP – Reeves Amodio LLC  
Scott Kendall – Attorney for Arthur Hackney – Holmes, Weddle,  
& Barcott Law Office  
Heidi Drygas – General Council for Local 341

**Telephonic:**

Representative Les Gara  
Joyce Anderson – Administrator, Legislative Ethics Committee –  
Kate Burkhart – Exec. Director – Mental Health Board, Advisory  
Board on Alcohol and Drug Abuse

**ON RECORD 1:30 pm**

Chair Hickerson introduced Commission members who were present and turned the proceeding over to Administrative Law Judge Christopher Kennedy.

Administrative Law Judge Kennedy presided over the portion of the hearing.

**Arthur J. Hackney v. Alaskans Against The Mining Shutdown, Council of Alaska Producers, and NANA Regional Corporation, 09-07-CD [1]**

The Alaska Public Offices Commission held a special hearing.

The Commission went into deliberations.

**OFF RECORD 2:50 p.m.**

**Deliberation**

**ON RECORD 4:36 p.m.**

The Commission returned following deliberation.

The Commission findings there were sufficient evidence to require a hearing on allegation of the original complaint.

**Advisory Opinion Request - AO-10-09-CD- Representative Les Gara [2]**

Ms. Robinson presented staff's revised advisory opinion following the Motion for Reconsideration as submitted by Representative Les Gara.

Representative Les Gara appeared telephonically to answer any questions staff and the Commission had regarding revised staffs recommendation.

**Commissioner Dean moved to accept staff's advisory opinion as revised.**

**Commissioner Ballenger seconded the motion.**

**The Commission voted 5-0 in favor of the motion.**

**Advisory Opinion Request - AO-10-16-CD- Senator Gary Stevens [\*]**

Ms. Robinson presented the Commission the advisory opinion request submitted by Senator Gary Stevens with the help of APOC staff. She explained that no proposed opinion had been drafted.

***Commissioner Ballenger put on the record that if the Commission was going to hear an advisory opinion requested by Senator Gary Stevens, she might need to recuse herself from participation because she had worked closely with Senator Gary Stevens in the past.***

The Commission determined after questioning Commissioner Ballenger that she did not have a conflict of interest that would prevent her from participating in the advisory opinion decision.

**Commissioner Dean made a motion that staff prepare an advisory opinion in response to Senator Stevens' request.**

**Commissioner Frederick seconded the motion.**

**The Commission voted 5-0 in favor of the motion.**

**Advisory Opinion Request - AO-10-15-CD- Local 341 [3]**

Mr. Brandeis presented the proposed advisory opinion in response to the request submitted by Heidi Drygas.

Ms. Drygas participated in-person in support of her advisory opinion request.

**Commissioner Dean moved to accept staffs recommendation.**

**Commissioner Frederick seconded the motion.**

**The Commission voted 5-0 in favor of the motion.**

**Advisory Opinion Request – AO 10-12-CD, AK Mental Health Board, Advisory Board on Alcohol and Drug Abuse [4]**

Mr. Brandeis presented the proposed advisory opinion in response to the request submitted by Kate Burkhart of the Alaska Mental Health Board

Ms. Burkhart appeared telephonically in support of her advisory opinion request.

**Commissioner Ballenger moved to accept staffs recommendation.**

**Commissioner King seconded the motion.**

**The Commission voted 5-0 in favor of the motion.**

**Advisory Opinion Request – AO 10-13-CD – AFL-CIO [5]**

Mr. Brandeis presented the proposed advisory opinion in response to the request submitted on behalf of the AFL-CIO by Chuck Dunnagan.

John Ptacin appeared in-person in support of the proposed advisory opinion and answered Commissioner questions regarding the staff recommendation.

**Commissioner Dean moved to accept staffs recommendation.**

**Commissioner Ballenger seconded the motion.**

**The Commission voted 3-2 motion failed.**

**Commissioner King made moved that staff further research the requested advisory opinion and proposed that the Commission discuss the revised response at the next Commission meeting.**

**Commissioner Dean seconded the motion.**

**The Commission voted 5-0 in favor of the motion.**

The Commission will reconsider advisory opinion requests AO 10-13-CD and AO 10-16-CD at the next Commission meeting.

**Commissioner Ballenger made a motion to adjourn.**

**Commissioner Frederick seconded the motion.**

**The Commission voted 5-0 in favor of the motion.**

**Adjourn.**

**OFF RECORD 4:38 p.m.**