

ALASKA PUBLIC OFFICES COMMISSION
MINUTES
SPECIAL COMMISSION MEETING
OCTOBER 13, 2009

A special meeting of the Alaska Public Offices Commission came to order at 9:02 a.m. on Tuesday, October 13, 2009. The meeting was held at 2221 E. Northern Lights Blvd. Rm. 128, Anchorage, Alaska.

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

In Attendance:

COMMISSION: Elizabeth Hickerson - Chair (Telephonic)
Kathleen Frederick – Vice Chair (Absent)
Shirley Dean – Commissioner (Absent)
Kathleen (Kate) Ballenger – Commissioner (Telephonic)
Kathleen King- Commissioner (Telephonic)

Staff: Holly R. Hill – Executive Director
Jerry Anderson – Asst. Director
Jaime Hidalgo- Associate Attorney II
Joan Mize- Paralegal I Juneau APOC Office (Telephonic)
Maria Bulfa- Recording Secretary

ON RECORD 9:02 a.m.

Chair Hickerson called the meeting to order.

Consent Agenda, Request to Reduce or Waive Civil Penalty Assessments [2]

The following Public Official Financial Disclosures were included in the consent agenda process, at the direction of the Commission:

- | | |
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| • Laura Plenert | POFD Filer |
| • David D. Cote | POFD Filer |
| • Jack C. Eidson | POFD Filer |
| • Kurtis Gibson | POFD Filer |
| • Dirk Nickisch | POFD Filer |

Staff had changes to the recommendations. Plenert and Gibson were removed from the consent agenda.

Commissioner Ballenger made a motion to adopt staff's recommendation on all remaining items on the consent agenda.

Commissioner King seconded the motion.

The Commission voted 3-0 in favor of the motion.

The following Public Official Financial Disclosure was not included in the consent agenda process, at the direction of the Commission.

RESPONDENT:	Laura Plenert
STATUS:	Board member (Personnel)
LATE REPORT:	2009 Public Official Financial Disclosure Annual report
MAXIMUM CIVIL PENALTY:	\$10 – 2009 POFD

Ms. Plenert appeared telephonically and gave oral testimony in support of her civil penalty appeal.

Commissioner Ballenger made a motion to waive the 2009 POFD assessed civil penalty of \$10 based on staff error under the mitigation criteria.

Commissioner King seconded the motion.

The Commission voted 3 to 0 in favor of the motion.

RESPONDENT:	Kurtis Gibson
STATUS:	Deputy Director (Department of Natural Resources)
LATE REPORT:	2009 Public Official Financial Disclosure Annual report: Filed 28 days late, at \$5 for the first 15 days and \$10 a day after.
MAXIMUM CIVIL PENALTY:	\$205 – 2009 POFD

Mr. Gibson appeared telephonically and gave oral testimony in support of his civil penalty appeal.

During the discussion, the commission agreed to adopt staff's recommendations and assessed the full penalty of \$205 for filing 28 days late as no reduction was warranted.

Request for Referral to Attorney General [3]

The following Public Official Financial Disclosure filers were referred to the Attorney general office for collection.

- Dirk Nickisch
- Matthew R. McSorley
- Elaine R. Kookesh
- Gail M Niemi

RESPONDENT:

Dirk Nickisch

STATUS:

Board member (Commercial Services Big Game)

LATE REPORT:

2009 Public Official Financial Disclosure Annual report: Filed 30 days late at \$5 for the first 15 days and \$10 a day after.

MAXIMUM CIVIL PENALTY:

\$225 – 2009 POFD

Mr. Nickisch appeared telephonically and gave oral testimony in support of his civil penalty appeal. The Commission allowed Mr. Nickisch to retroactively appeal his 2009 POFD given the confusion surrounding his appeal.

Commissioner King made a motion for a 50% reduction on the 2009 POFD civil penalty based inexperienced filer under the mitigation criteria.

Commissioner Ballenger seconded the motion.

The Commission voted 3 to 0 in favor of the motion.

Staff advised the Commission that McSorley had paid his fine. He was removed from the list. The following Public Official Financial Disclosure filers were taken from the Attorney General Referral list for collection. The Commission authorized the following filers to pay their outstanding penalties within seven days.

- Elaine R. Kookesh POFD Filer
- Gaile M. Niemi POFD Filer

The commission adjourned.

OFF RECORD 9:55 a.m.