

ALASKA PUBLIC OFFICES COMMISSION
MINUTES
REGULAR COMMISSION MEETING
FEBRUARY 23

A regular meeting of the Alaska Public Offices Commission came to order at 9:00 a.m. on February 23, 2011. The meeting was held at the State Office Building, 10th Floor Commissioners conference room, Juneau, 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: (Absent)
Shirley Dean – Commissioner
Kathleen (Kate) Ballenger – Commissioner
Kathleen King – Commissioner

Staff: Paul R. Dauphinais – Executive Director
Jerry Anderson – Assistant Director
Patricia Ware – Project Coordinator, Juneau Office
Joan Mize – Paralegal II, Juneau Office
Reuben Yerkes – Law Office Assistant, Juneau Office
Amy Robinson, Associate Attorney II
Maria Bulfa – Law Office Assistant, Anchorage Office
Kim Wilson – Associate Attorney I
Vullnet Greva – Paralegal II

Attendees: John Ptacin – Assistant Attorney General, Dept. of Law
Virginia Rusch – Regulations Attorney
Kenneth Kirk – Nominee for APOC Commissioner
Tina Boughton – Intern with Virginia Rusch
Cory Borgerson – North Pole Coalition
Joelle Hall – AFL/CIO
Linda Kellen Biegel - Self

ON RECORD 9:00a.m.

Chair Hickerson called the meeting to order.

Approval of the Agenda [*]

The Commission approved the agenda as revised.

Meeting Minutes Approval [1]

The Commission approved the minutes from the November 17-19, 2010; November 22, 2010; November 30, 2010; December 21, 2010; January 13, 2011; January 31, 2011; and February 2-3, 2011 meetings as revised.

The Commission approved the following minutes with revisions.

- Nov. 17th Minutes; Hickerson motion, Dean second, Ballenger followed
- Nov. 18th Minutes; Hickerson motion, King second, Ballenger followed
- Nov. 19th Minutes; Dean Motion, King Second
- Nov. 22nd Minutes; Ballenger Motion, Dean second
- Nov. 30th Minutes; Dean motion, King Second
- Dec. 21st Minutes; Dean motion, King second
- Jan. 13th Minutes; Ballenger motion, King second
- Jan. 31st Minutes; Dean motion, Ballenger second
- Feb. 2nd Minutes; Dean motion, King second (“call the workshop to order”)
- Feb. 3rd Minutes; Dean motion, King second

OFF RECORD 9:23 a.m.

ON RECORD 9:30 a.m.

Executive Director Report [2]

Assistance Director Jerry Anderson presented the Executive Director Report.

- **Mike Barnhill – Telephonic**

Expedited Complaint Form Review/Approval [3]

Presented by Joan Mize, Patty Ware, APOC Staff

Commissioner Dean moved to approve these two forms as revised.

Commissioner King seconded the motion.

The Commission voted 4-0 in favor of the motion.

Legislative Update [7]

Presented by Patty Ware, APOC Staff.

OFF RECORD 10:20 a.m.

ON RECORD 10:30 a.m.

Group Guide/Manual [4]

Presented by Vullnet Greva, APOC Staff.

Commission directed staff to make edits as noted, have the manual reviewed by Virginia Rusch, and to present the revised manual at the June Commission meeting.

Audit Update *

Presented by APOC Staff
(Juneau - Joan Mize – Lobbying)
(Anchorage - Amy Robinson - Candidate Audit)
(Anchorage – Vullnet Greva – Group Audit)
(Anchorage – Kim Wilson – POFD/LFD Audit)

Advisory Opinion 11-02-POFD [6]

Presented by Kim Wilson, APOC Staff
AAG - John Ptacin

Commissioner Ballenger made the motion to accept staff's recommendation. However, Commissioner Hickerson realized that the Commission could not continue because they must have four commissioners present to rule on an Advisory Opinion. The Commission will take the matter up when Commissioner Dean returns to the meeting.

Consent Agenda- Campaign Disclosure Law/ (Groups) [8]

Presented by Vullnet Greva, APOC Staff

Commissioner Hickerson requested CDFU Fish PAC be removed from the consent agenda.

After discussion, Commissioner Ballenger motioned to accept staff's recommendation to waive the penalty due to unique circumstances (slow internet connection).

Commissioner King seconded the motion.

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

Commissioner King motioned to approve staff's recommendation on the other item on the consent agenda.

Commissioner Ballenger seconded the motion.

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

OFF RECORD 11:42 a.m.

Lunch

ON RECORD 1:00 p.m.

Public Comment on POFD : Linda Kellen Biegel
Dr. Theresa Obermeyer
Jennifer Johnston, Anchorage Assembly

Referrals to Attorney General [9]

Presented by Jerry Anderson, APOC Staff
AAG John Ptacin

Commissioner King moved to refer Jeffrey Brown, Candidate to the Attorney General for collections.

Commissioner Ballenger seconded the motion.

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

Commissioner Ballenger motioned to refer Terry Haines, Candidate to the Attorney General's Office for collections.

Commissioner King seconded the motion.

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

Commissioner King made the motion to reconsider the penalty assessed to Don Wright, Candidate.

Commissioner Ballenger seconded the motion.

After discussion of the issue, Commissioner Ballenger made a motion to accept staff's recommendation to waive the civil penalty that was assessed

Commissioner King seconded the motion.

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

OFF RECORD 1:53 p.m.

ON RECORD 1:54 p.m.

Legislative update continued. (Patty Ware – Juneau Office)

OFF RECORD 2:08 p.m.

ON RECORD 3:08 p.m.

Advisory Opinion 11-02-POFD [6]

Presented by Kim Wilson, APOC Staff
AAG - John Ptacin

Commissioner Ballenger made the motion to accept staff's recommendation.

Commissioner King seconded the motion.

The Commission voted 4-0 in favor of the motion.

OFF RECORD 3:25 p.m.

ON RECORD 3:31 p.m.

Commissioner Dean motioned to go into executive session to discuss personnel issues.

Commissioner King seconded the motion.

The Commission voted 4-0 in favor of the motion.

The following staff were asked to stay: Paul R. Dauphinais, APOC Executive Director; Jerry Anderson, APOC Assistant Director; Patricia Ware, APOC Lobbying Administrator.

OFF RECORD 3:32 p.m.

ON RECORD 4:00 p.m.

Commissioner King made a motion to go into executive session as there was no one present to give Public Testimony.

Commissioner Dean seconded the motion.

The Commission voted 4-0 in favor of the motion.

OFF RECORD 4:05 p.m.

ON RECORD 5:00 p.m.

Adjourned until 10:00 a.m. on Thursday.

OFF RECORD 5:01 p.m.