

ALASKA PUBLIC OFFICES COMMISSION  
MINUTES  
REGULAR COMMISSION MEETING  
SEPTEMBER 14, 2011

A regular meeting of the Alaska Public Offices Commission came to order at 8:30 a.m. on Wednesday, September 14, 2011. The meeting was held at the Anchorage APOC office at 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 binder. Asterisks \* indicate that no information was included in the meeting binder.

**In Attendance:**

**Commission:** Elizabeth Hickerson - Chair  
Kathleen King – Vice-Chair  
Shirley Dean – Commissioner  
Kenneth Kirk – Commissioner

**Staff:** Paul Dauphinais - Executive Director  
Jerry Anderson – Assistant Director  
Joan Mize – Project Coordinator II Juneau Office  
Vullnet Greva – Associate Attorney II  
Martha Tansik – Associate Attorney II  
Kim Wilson – Associate Attorney I  
Heather Hebdon – Paralegal II  
Amanda McDonald – Paralegal I  
Maria Bulfa – Law Office Assistant II  
Reuben Yerkes- Law Office Assistant I Juneau Office  
Wynona Sampson – Law Office Assistant I  
Ramona Nicori – Law Office Assistant I

**Attendees:** John Ptacin – APOC Staff Attorney, Assistant Attorney General, Dept. of Law  
Linda Kellen – Complainant, 10-19-CD, 10-21-CD, 10-23-CD-Consolidated Cases  
Gregg Richmond – Rep. Thomas, Deputy Treasurer and Respondent, 10-19-CD Consolidated Cases (Telephonically)  
Joyce Thomas Respondent, 10-19-CD Consolidated Cases and 11-03-CD (Telephonically)  
William Thomas Jr. – House Representative, Respondent, 10-19-CD Consolidated Cases and 11-03-CD (Telephonically)  
Martin Lindeke – Respondent, 11-08-CD and AO 11-12-CD  
Dan Joling – Associated Press

Greg Dorrington – Self  
Virginia Rusch – Contract Regulation Attorney, Public Comment  
Scott Kendall – Complainant Attorney (Robert Gillam) 11-11-CD  
Timothy McKeever – Complainant Attorney (Robert Gillam) 11-11-CD (Telephonically)  
Matthew Singer – Respondent Attorney (Pebble Partnership Limited) 11-11-CD  
Heather Handyside, Campaign Manager, Yes on Prop 10  
Sean Cockerham – Anchorage Daily News  
Margaret Bauwam – Fishermen’s News

**ON RECORD 8:30 a.m.**

Chair Hickerson called the meeting to order.

**Approval of the Agenda [\*]**

The Commission approved the agenda as revised.

**Approval Meeting Minutes [1]**

The Commission approved the June 8-10, 15, 16 & 30 2011 meeting minutes, as revised.

**Executive Director Report [2]**

Presented by Paul Dauphinais, APOC Executive Director  
Mr. Anderson – APOC Assistant Director, participated in the discussion.

**Commissioner Dean recognizes Joan Mize promotion as the Juneau office branch Project Coordinator.**

**Kenneth Kirk, POFD Supplemental to Request for an Exemption [3]**

Presented by Kim Wilson, APOC staff and John Ptacin, Asst. Attorney General  
Commissioner Kirk did not participate in the proceeding as a Commissioner.

Mr. Kirk presented the supplemental information that the Commission previously requested from the June 8, 2011 Commission meeting and answered questions from the Commission regarding the information submitted.

**The Commission will take this matter under advisement.**

**Referral to the Attorney General – 09-10-CD, APOC v. IACC [4]**

Presented by Vullnet Greva, APOC staff and Jerry Anderson, APOC Asst. Director

**Commissioner Kirk moved to accept staff recommendation.**

**Commissioner King seconded the motion.**

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

**APOC Public Record Request Fee Schedule [5]**

Presented by Paul Dauphinais, APOC Executive Director

**Commissioner Dean made a motion to approve the APOC fee schedule.  
Commissioner King seconded the motion.  
The Commission voted 4-0 in favor of the motion.**

**APOC v. Raymond Gillespie, 11-10-LOB [11]**

Presented by Joan Mize, APOC staff.

**Commissioner Dean moved to accept staff recommendation.  
Commissioner Kirk seconded the motion.  
The Commission voted 4-0 in favor of the motion.**

**Consent Agenda: Public Official Financial Disclosure [10]**

Presented by Kim Wilson, APOC staff

Respondent:	Zebulon Woodman
Status:	Worker's Compensation Board
Late Report:	2011 Initial POFD Statement
Maximum Civil Penalty:	\$40
Staff Recommendation:	Waive the civil penalty

**Commissioner King moved to accept the staff recommendation.  
Commissioner Dean seconded the motion.  
The Commission voted 4-0 in favor of the motion.**

**Consent Agenda: Lobbyist**

Presented by Joan Mize, APOC Staff

Respondent:	Wendy Chamberlain
Status:	Lobbyist
Late Report:	2011 Registration for Norton Sound Health Corporation
Maximum Civil Penalty:	\$300
Staff Recommendation:	Reduce the civil penalty to 50%

**Commissioner King moved to accept staff recommendation.  
Commissioner Dean seconded the motion.  
The Commission voted 4-0 in favor of the motion.**

**OFF RECORD 9:40 a.m.**

**Break**

**ON RECORD 9:45 a.m.**

**Linda Kellen v. Consolidated Cases (Richmond/Olerud & Thomas/Studley –  
Consent Agreement, 10-19-CD, 10-21-CD, 10-23-CD [6 & 7]**

Presented by Martha Tansik, APOC staff and John Ptacin, Asst. Attorney General

**Agenda Items 6 and 7: Doug Olerud, Gregg Richmond, Joyce Thomas, William Thomas Jr., and James Studley**

- Linda Kellen, Complainant, appeared in person and gave a statement.
- Gregg Richmond, Respondent and campaign deputy treasurer for the William Thomas Jr. campaign appeared telephonically and gave a statement.
- William Thomas Jr., respondent appeared telephonically and gave a statement

**Commissioner King moved to approve the consent agreement regarding the Olerud/Richmond complaint.**

**Commissioner Kirk seconded the motion.**

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

**OFF RECORD: 10:25 a.m.**

**Deliberation**

**ON RECORD: 10:40 a.m.**

**After deliberation the Commission found that the consent agreements were in public interest and approved the proposed consent agreements for William Thomas, Jr, Joyce Thomas, and James Studley.**

**OFF RECORD 10:42 a.m.**

**Break**

**ON RECORD 11:00 a.m.**

**APOC v. Martin Lindeke, 11-08-CD [8]**

Presented by Martha Tansik, APOC staff

Martin Lindeke, Respondent, appeared in-person and gave a statement.

**Commissioner King moved to accept staff proposed consent agreement.**

**Commissioner Kirk seconded the motion.**

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

**Advisory Opinion Request, Martin Lindeke, 11-12-CD [9]**

Presented by Martha Tansik, APOC staff

Mr. Martin Lindeke, requestor, appeared in-person in support of his request.

**Commissioner Kirk moved to reject staff draft advisory opinion.**

**Commissioner Hickerson seconded the motion for the purpose of discussion.**

**The motion failed.**

**Commissioner Kirk moved to have the staff revise the draft advisory opinion to focus the opinion on AS 15.13.114 and whether a recipient is required to immediately return the funds.**

**The Commission voted:**

**Commissioner Hickerson – No**

**Commissioner King – No**

**Commissioner Dean – No**  
**Commissioner Kirk – Yes**  
**The Commission voted 1-3 the motion failed.**

**Commissioner King moved to approve the draft advisory opinion with the provision that the staff change the word “should” to “must” on pg 2, last sentence of paragraph 7.**

**Commissioner Dean seconded the motion.**  
**The Commission voted 4-0 in favor of the motion.**

**Group Campaign Disclosure - Continuation [10]**

Presented by Amanda McDonald, and Vullnet Greva APOC staff

RESPONDENT:	DSA – Anchorage Stonewall Democrats
STATUS:	Group
LATE REPORT:	2011 Anchorage Municipal 7-Day Report
MAXIMUM CIVIL PENALTY:	\$150
STAFF RECOMMENDATION:	Reduce the civil penalty to 50%

**Commissioner Dean moved to accept the staff recommendation.**  
**Commissioner Kirk seconded the motion.**  
**The Commission voted 4-0 in favor of the motion.**

**Candidate Campaign Disclosure**

Presented by Heather Hebdon, APOC staff

RESPONDENT:	Joseph Michel
STATUS:	Candidate
LATE REPORT:	2010 General State Election Year-End Report
MAXIMUM CIVIL PENALTY:	\$65.00
STAFF RECOMMENDATION:	Refer to Attorney General Office for Collection

**Commissioner Kirk moved to accept staff recommendation.**  
**Commissioner King seconded the motion.**  
**The Commission voted 4-0 in favor of the motion.**

**Advisory Opinion Request, David Stone, City of Yakutat Mayor, 11-11-POFD [15]**

Presented by Kim Wilson, APOC staff

**Commissioner King moved to accept staff draft advisory opinion.**  
**Commissioner Dean seconded the motion.**  
**The Commission voted 4-0 in favor of the motion.**

**Advisory Opinion Request, Max Gruenberg, 11-10-CD [14]**

Presented by Martha Tansik, APOC staff

**Commissioner Dean moved to accept staff draft advisory opinion.**

**Commissioner King seconded the motion.**

**The Commission voted:**

**Commissioner Hickerson – Yes**

**Commissioner King – Yes**

**Commissioner Dean – Yes**

**Commissioner Kirk – No**

**The Commission voted 3-1 motion failed. (Advisory opinions require 4 affirmative votes)**

**Commissioner Kirk moved to reconsider his vote regarding the staff draft advisory opinion.**

**Commissioner King seconded the motion.**

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

**OFF RECORD 11:51 a.m.**

**Lunch**

**ON RECORD 12:16 p.m.**

**Public Comment [\*]**

Virginia Rusch the Contract Regulation Attorney appeared in-person and commented on the proposed regulations website title drafting during public comment period.

**OFF RECORD 12:25 p.m.**

**BREAK**

**ON RECORD 12:37 p.m.**

**APOC v. Mead Treadwell, 11-07-CD [13]**

The above matter was pulled from the September 15, 2011 meeting agenda because of pending motions.

The parties are directed to work with staff to schedule the pending motions for hearing.

**Alaskans for Bristol Bay, Vote Yes on the Save our Salmon Initiative v. Pebble Limited Partnership, 11-11-CD [\*]**

- Scott Kendall, Complainant attorney, appeared in-person and gave statement on behalf of Alaskans for Bristol Bay, Vote Yes on the Save our Salmon Initiative (Robert Gillam).
- Timothy McKeever, Complainant attorney appeared telephonically and gave brief statement in support of Scott Kendall's statement.
- Matthew Singer, Respondent attorney, appeared in-person and gave statement on behalf of Pebble Limited Partnership.
- John Ptacin, Assistant attorney general, Department of Law, appeared in-person and gave statement.

**The Commission took the matter under advisement.**

**OFF RECORD 1:50 p.m.**

**Break**

**ON RECORD 1:55 p.m.**

**Consent Agenda: Statement of Contributions 15-5 Cont. [10]**

Presented by Amanda McDonald, APOC Staff

The following groups and individuals were included in the consent agenda:

2011 Anchorage Municipal Election

- Baird, Ronald
- Bergh-Pollock, Nancy
- Brews Brothers
- Cabin Fever-Jana Heyenga
- Carr-Gottstein Properties
- Downtown Anchorage Civic Ventures
- Evans, Bob
- Hotel Captain Cook-Hickel Investments
- JL Properties Inc
- KMD Services & Consulting LLC
- L&S Industries, LLC
- Parks, Terry
- Pfeffer, Mark
- Sunshine Plaza

Heather Handyside, campaign manager for Yes on Prop 10 group was present in-person, and gave brief statement.

**Commissioner King moved to accept staff recommendation for waiver of all assessments.**

**Commissioner seconded the motion.**

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

**Approval of Payment Plan**

The staff requested this item be taken off the agenda for discussion, because it was determined that this item falls under the administrative delegation of duties to the Executive Director.

**OFF RECORD 2:15 p.m.**

**Deliberation**

**ON RECORD 2:37 p.m.**

The Commission acknowledged Wynona Sampson's 35 years of service with the State of Alaska, and her dedication and hard work and presented a State pin in recognition of her service.

**OFF RECORD 2:40 p.m.**

**Executive Session**

**Commissioner Dean moved to go on executive session to discuss personnel issues.**

**Commissioner King seconded the motion.**

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

**After the executive session, the Commission did not go back onto public record and recessed until Thursday, September 15<sup>th</sup> at 8:30 a.m.**