

ALASKA STATE PERSONNEL BOARD MEETING

May 27, 2009

12:00 P.M.

Frontier Building

3601 C Street, Suite 880

Anchorage, Alaska

In person:

Debra English, Chairperson

Nicki Neal, Secretary to the Personnel Board

Diane Kiesel, Division of Personnel & Labor Relations

Kamie Willis, Department of Law

Judy Bockmon, Department of Law

Linda Kellen Biegel, Public

Valarie Henning, Public

Zane Henning, Public

Andree McLoed, Public

Sean Cockerham, Anchorage Daily News

Present by teleconference:

Laura Plenert, Board Member

Alfred Tamagni, Board Member

Terry Vrabec, Executive Director, Alaska Police Standards Council

Bill Milks, Department of Law

Emy Abad, Division of Personnel & Labor Relations

Rick Morrison, Division of Personnel & Labor Relations

1. CALL TO ORDER

Chairperson English called the meeting to order at 12:05 p.m. on May 27, 2009.

2. APPROVAL OF AGENDA

The agenda was moved and approved.

3. APPROVAL OF MINUTES

The minutes from the meeting held on December 15, 2008 were moved and approved.

4. ETHICS DISCLOSURE

Board members had no disclosures.

5. PUBLIC COMPLAINTS AGAINST PEACE OFFICERS

Executive Director Vrabec spoke about the procedures of handling complaints against peace officers. Informal complaints or internal matters are handled by a director/official or a higher ranking officer in the supervisory chain of command.

If a member of the public is dissatisfied with a department response to an informal complaint the Alaska Police Standards Council (APSC) will review the complaint and determine if additional investigation is necessary. Formal complaints are handled by the APSC. There were 40 formal complaints before the APSC during 2008.

Board Member Tamagni asked about the composition of the council. Vrabec responded that the council has 13 members – the Commissioners of Public Safety and Corrections, an additional representative from both departments, four police chiefs, and four public members appointed by the governor. Tamagni raised a concern about all members of the council having a police or political background. It was pointed out that the Personnel Board does not have any authority over the composition of the APSC, and the board was informed that they could visit the APSC website for additional information. Tamagni then asked if the APSC was required to file ethics disclosures with the Personnel Board, and Chairperson English answered that the APSC was required to file.

#### 6. REVIEW OF QUARTERLY ETHICS REPORTS

Board member Tamagni complimented the structure of the reports, which was seconded by the other board members.

Chairperson English noted that the board did file their 4<sup>th</sup> quarter report which is contrary to what is stated in the report provided in the board members' packet.

#### 7. REVIEW OF ETHICS CASE LOG

Board members Tamagni and Plenert did not have any questions about the log. Chairperson English had questions, but stated that they would need to be addressed in executive session.

#### 8. EXECUTIVE SESSION

The Board entered executive session at 12:20 p.m. and concluded the session at 1:05 p.m.

#### 9. PUBLIC COMMENT

Linda Kellen Biegel provided commentary on the function of the Personnel Board, confidentiality of the ethics act and her belief that an Ethics Board is warranted.

Valarie Henning asked for assistance from the board in complaining about the Governor collecting per diem while in her own home. AAG Bockmon explained available options and stated that if Ms. Henning believes a violation of the Ethics Act has occurred that the Alaska Statutes must be followed. Ms. Henning expressed a fear of retaliation for filing a complaint.

Andree McLeod provided commentary on the ethics law and asked a number of questions pertaining to the law, the handling of complaints, etc. Ms. McLeod also

asked the board to request that the Legislature “clean up” the Ethics Act. Ms. McLeod was asked to put her questions in writing.

#### 10. LEAVE RULE AMENDMENTS

The following amendments were moved and approved:

2 AAC 08.010(b)(4). Coverage – aligns this provision with the implementing statutory authority

2 AAC 08.078. Leave for organ or bone marrow donation – implements legislation (HB 252), chapter 80, SLA 2008 which provides leave for organ or bone marrow donations

#### 11. UPDATE FROM THE DIRECTOR OF PERSONNEL AND LABOR RELATIONS

The Geographic Differential Study is completed and the results are now available on the Department of Administration’s website.

A Statewide Salary Survey is currently underway with an expected completion date of October, 2009. Chairperson English requested that board members be provided with a list of the benchmark job classifications to be surveyed.

A Human Resources Structure Review is also underway with an expected completion date of August, 2009.

#### 12. OTHER MATTERS BEFORE THE BOARD

Discussion occurred regarding the posting of Independent Counsel expenditures incurred by the board as the a result of ethics complaints. The board tasked the chairperson to work with Department of Law and the Secretary of the Board, Nicki Neal, on the report. The board would like the report to include total expenses per case and total expenses by fiscal year.

Chairperson English requested direction/assistance regarding amending the Ethics Act as it relates to complaint procedural matters. AAG Milks was asked to work with Secretary Neal to address this topic. The board assigned Chairperson English as the board’s representative on this matter.

Board Member Tamagni requested reimbursement for phone expenses incurred and will send the receipt to Secretary Neal.

The next meeting will be scheduled for August.

Meeting adjourned at 1:35 p.m.