

ALASKA STATE PERSONNEL BOARD MEETING

October 6, 2010

12:00 P.M.

Frontier Building

3601 C Street, Suite 880

Anchorage, Alaska

In person:

Debra English, Chairperson

Alfred Tamagni, Board Member

Dr. Keith Hamilton, Board Member

Nicki Neal, Secretary to the Personnel Board

Nancy Sutch, Division of Personnel & Labor Relations

Judy Bockmon, Assistant Attorney General, Department of Law

Timothy Petumenos, Esq., Independent Counsel

Present by teleconference:

Emy Abad, Division of Personnel & Labor Relations

Bill Milks, AAG, Department of Law

Members of the Public:

Thomas Van Flein, Esq.

Jason Soza, Contracting Officer, Department of Administration

1. CALL TO ORDER

Chairperson English called the meeting to order at 12:05 p.m. and took a roll call of those present in person and via teleconference.

2. APPROVAL OF AGENDA

Agenda was modified to add public comments. The agenda with changes was moved and approved.

3. APPROVAL OF MINUTES

June 4, 2010 meeting minutes was moved and approved.

4. ETHICS DISCLOSURES – PERSONNEL BOARD MEMBERS

Board members had no disclosures.

5. REVIEW OF QUARTERLY ETHICS REPORTS

Board Member Tamagni wanted clarification on reports not received from the University of Alaska. AAG Bockmon explained that all agencies, boards, commissions, and public corporations receive several reminders to file and as well as follow up emails after it is due. The department head should ultimately be responsible for the board or commission. Board Member Tamagni suggested

looking into financial penalties to remedy late reports. AAG Bockmon explained that we would need a statutory change to implement any financial penalties. Chairperson English suggested soliciting some responsibility from the Governor's office to manage the notices to all the boards and commissions. AAG Bockmon will look into it and report back to the board in the next meeting.

6. REVIEW OF ETHICS CASE LOG

Chairperson English requested clarification on the log. Some cases identify names and department information while others do not have this information. The name and department information would help to see trends and activities. AAG Bockmon explained this information may not be on the log due to the confidentiality of the case. The board had no other questions about the case logs.

7. CHATMAN COMPLAINT; FINDINGS, CONSENT DECREE AND SETTLEMENT AGREEMENT

Independent counsel Tim Petumenos updated the board on matters that had arisen regarding the Chatham complaint since the last Personnel Board meeting. With the board's approval, the findings had been released to the public at a press conference. Following this, the complainant had made some public comments, which Petumenos repeated to the board. The first was that some sort of fine should have been imposed against former Governor Palin, and that the sanction that was issued was useless without a fine or restitution. Petumenos countered that with the requirement to refund donations where possible and donate any remaining funds to charity, irrespective of the legal costs incurred, in the end Governor Palin did not gain any benefit from the use of the fund. The complainant also took issue with former Governor Palin's continued use of a similar fund, but Petumenos pointed out that she was now a private citizen, and the Personnel Board does not have any authority over private citizens. AAG Bockmon reported that funds were returned to the donors where possible, and the residual amount has been donated to charity, as per the settlement's agreement.

8. PUBLIC COMMENTS

There were no public comments.

9. PROPOSED PERSONNEL RULE CHANGES

The following amendment was moved and approved:

2 AAC 07.390 is amended by eliminating language requiring that compensatory time be cashed out to the employee at the end of the leave year; adding language that established maximums for compensatory time and adding language that specifies how an employee will be paid once the maximum is reached.

10. CONFIDENTIALITY ACKNOWLEDGEMENT FORM

Nicki submitted the Confidentiality Acknowledgement Form for board members' signatures.

11. EXECUTIVE SESSION UNDER AS 44.62.310

The board moved to executive session at 12:45 p.m. and concluded executive session at 2:25 p.m.

12. UPDATE FROM DIRECTOR OF PERSONNEL AND LABOR RELATIONS

Director Nicki Neal stated that Labor Relations would be entering negotiations with the three marine unions, PSEA, and AVTECTA shortly. She also stated that the Personnel division was beginning the process to broaden and reduce the number of job classifications.

13. OTHER MATTERS THAT MAY COME BEFORE THE BOARD

The next Personnel Board meeting was tentatively set for January.

14. ADJOURNMENT

The board adjourned at 2:35 p.m.