

ALASKA PUBLIC OFFICES COMMISSION  
MINUTES  
REGULAR COMMISSION MEETING  
SEPTEMBER 25, 2013

A regular meeting of the Alaska Public Offices Commission came to order at 9:00 a.m. on Wednesday, September 25, 2013. The meeting was held at the Anchorage 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.

**Commission in Attendance:**

Elizabeth Hickerson – Chair  
Kenneth Kirk – Vice-Chair  
Kathleen King – Commissioner  
Vance Sanders – Commissioner (Telephonically)  
Ronald King – Commissioner (Telephonically)

**Staff in Attendance:**

Paul Dauphinais – Executive Director  
Jerry Anderson – Assistant Director  
Joan Mize – Juneau Program Coordinator (Telephonically)  
Heather Hebdon – Associate Attorney II  
Thomas Lucas – Associate Attorney II  
July Lam – Associate Attorney I  
Delight Mells – Paralegal I  
Tamara Douglas – Paralegal I  
Maria Bulfa – Law Office Assistant II  
Wynona Sampson – Law Office Assistant I

**Department of Law – Assistant Attorney General Office**

Bill Milks – Telephonically  
John Ptacin – Telephonically

**In-person Attendees:**

Ron Arvin – 2012 October Municipal Candidate

Nick Moe – 2013 Anchorage Municipal Candidate  
Patrick Munson – Representative for Nick Moe  
Peter S. Goldberg – Chair, Alaska Republic Party  
Randy Ruedrich – Representative for Peter S. Goldberg  
Glenn Clary – Campaign Treasurer, Alaska Republican Party  
Lloyd Eggan – Campaign Treasurer, Anchorage Democrats

**Telephonic Attendees:**

Amie Stanley – Chair, Anchorage Democrats  
James Studley – Campaign Treasurer, Friends of the Candidate  
James Bates – Director, Enterprise Technology Services (ETS)  
Lorene Anelon – Assembly Member, Lake and Penn Borough

**City of Angoon:**

Jesse Daniels – Council Member  
Harriet Silva – Council member  
Randall Gamble – Council Member  
Lillian Woodberry – City Clerk  
Edward Jack – Council Member  
Richard George – Council Member

**ON RECORD: 9:00 a.m.**

Chair Hickerson called the meeting to order.

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

The Commission approved the agenda as written

**Approval of the Meeting Minutes [1]**

July 10, 2013 – meeting minutes

**Commissioner Kirk moved to approve the meeting minutes as written.**

**Commissioner R. King seconded the motion.**

**The Commission voted 5-0 to approve the July 10, 2013 meeting minutes.**

**Consent Agenda, Candidate Civil Penalty Appeals & Referrals to Attorney General Office  
[2]**

The staff recommendations regarding the consent agenda were presented by Delight Mells, APOC staff.

**All items were removed from the consent agenda for the Commission to consider separately:**

Mr. Ronald Arvin Appeared in person and gave statement.

<b>Ronald Arvin</b>	<b>2012 Mat-Su Borough Election</b>
LATE REPORT:	24HR October Municipal Election Report
MAXIMUM CIVIL PENALTY:	\$131,500 as filed 263 days late @\$500 a day
STAFF RECOMMENDATION:	Reduced by 99.5% to \$657

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

Mr. Nick Moe, Respondent and Patrick Munson, Representative of Mr. Moe appeared in person and gave statement.

<b>Nick Moe</b>	<b>2013 Anchorage Municipal Election</b>
LATE REPORT:	24HR Anchorage Municipal Election Report
MAXIMUM CIVIL PENALTY:	\$55,000 as filed 110 days late @\$500 a day
STAFF RECOMMENDATION:	Reduced by 99% to \$550

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

**Executive Director Report [8]**

The director's report was presented by Paul Dauphinais, APOC staff. Ms. Joan Mize, APOC staff gave brief update regarding the upcoming outreach activity to be held in Sitka, Alaska.

**OFF RECORD: 9:50 a.m.**

**Break**

**ON RECORD: 10:00 a.m.**

**Consent Agenda, Group Civil Penalty Appeals & Referrals to Attorney General Office [3]**

The staff recommendations regarding the consent agenda were presented by Thomas Lucas and Tamara Douglas, APOC staff. Commissioner R. King recused himself from participating on the APEA/AFT SU Local 4900 because he was a former officer of the group.

**The following individuals were removed from the consent agenda for the Commission to consider separately:**

**The following individuals appeared in person and gave statement.**

- Randy Ruedrich – Representative for Chair
- Peter S. Goldberg – Chairman
- Glen Clary – Campaign Treasurer

<b>Alaska Republican Party</b>	<b>2012 State Election</b>
LATE REPORT:	24HR General Election Report

MAXIMUM CIVIL PENALTY: \$52,000 as filed 104 days late @\$500 a day  
STAFF RECOMMENDATION: Reduced by 98% to \$1040

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

Ms. Amie Stanley, Chair for Anchorage Democrats appeared telephonically gave statement.  
Mr. Lloyd Eggan, Treasurer appeared in person and gave statement.

<b>Anchorage Democrats</b>	<b>2012 State Election</b>
LATE REPORT:	30D & 7D Primary Election Report
MAXIMUM CIVIL PENALTY:	\$10,150 30P as filed 203 days late @\$50 a day \$90,500 7P as filed 181 days late @\$500 a day
LATE REPORT:	30D & 7D General Election Report
MAXIMUM CIVIL PENALTY:	\$6,700 30G as filed 134 days late @\$50 a day \$55,500 7G as filed 111 days late @\$500 a day
STAFF RECOMMENDATION:	Reduced by \$162,600 to \$250

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

**The Commission reviewed the remaining items on the consent agenda:**

- ASEA/AFSCME Local 52
- Capital City Republican Women
- Edward Flannagan
- SU Local 4900 APEA/AFT

**Commissioner Kirk moved to approve the staff recommendations for the remaining items on the consent agenda.**

**Commissioner K. King seconded the motion.**

**The Commission voted 4-0 to approve the remaining items on the consent agenda.**

**Referral to Attorney General Office:**

Mr. James Studley, Treasurer appeared telephonically and gave statement.  
Ms. Delight Mells, APOC staff answered questions of the commission regarding email communication with Mr. Studley.

<b>Friends of the Candidate</b>	<b>2012 State Election</b>
LATE REPORT:	24HR General Election Report
MAXIMUM CIVIL PENALTY:	\$365
STAFF RECOMMENDATION:	Referral to the Attorney General Office

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

**The below complaint was discussed out of the scheduled order.**

**Alaska Public Offices Commission, APOC v. Friends of the Candidate, 13-06-CD [5]**

The staff report was presented by Thomas Lucas, APOC staff. Mr. Studley, appeared telephonically and gave statement regarding the above complaint.

The Alaska Public Offices Commission (APOC) staff filed a complaint on July 9, 2013. APOC staff alleged that the Friends of the Candidate made prohibited contributions to Sitka Republican Women group during the 2012 State Election in violation of AS 15.13.070(c) and .074(f). Additionally the group failed to properly report contributions and expenditures required by statute under AS 15.13.090 (a).

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

**Consent Agenda, Public Official Financial Disclosure Civil Penalty Appeals and Referrals to Attorney General Office [4]**

The staff recommendations regarding the consent agenda were presented by July Lam, APOC staff.

**The following individuals were removed from the consent agenda and will not be discussed.**

Kristine Martin, Associate Director, Washington DC, Office of Governor  
David Epchook, Manager, City of Kwethluk  
Kristi Hinchman, School Board Member, City of Hoonah

**The following individuals were removed from the consent agenda for the Commission to be considered separately:**

Mr. James Bates, Director, Enterprise Technology Services (ETS) appeared telephonically and gave statement.

<b>James Bates</b>	<b>2013 Public Official Financial Disclosure</b>
LATE REPORT:	Initial Public Official Statement
MAXIMUM CIVIL PENALTY:	\$390 as filed 39 days late @\$10 a day
STAFF RECOMMENDATION:	Reduced by 20% to \$312

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

Mr. Jesse Daniels, Council Member, City of Angoon appeared telephonically and gave statement.

<b>Jesse Daniels</b>	<b>2013 Public Official Financial Disclosure</b>
LATE REPORT:	March 15 <sup>th</sup> Annual Municipal Statement
MAXIMUM CIVIL PENALTY:	\$1,010 as filed 101 days late @\$10 a day

STAFF RECOMMENDATION: Uphold the maximum civil penalty

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

Ms. Harriet Silva, Council Member, City of Angoon Appeared telephonically and gave statement.

<b>Harriet Silva</b>	<b>2013 Public Official Financial Disclosure</b>
LATE REPORT:	march 15 <sup>th</sup> Annual Municipal Statement
MAXIMUM CIVIL PENALTY:	\$1,010 as filed 101 days late @\$10 a day
STAFF RECOMMENDATION:	Refer to the Attorney General

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

Mr. Randall Gamble, Council Member, City of Angoon appeared telephonically and gave statement.

<b>Randall Gamble</b>	<b>2013 Public Official Financial Disclosure</b>
LATE REPORT:	March 15 <sup>th</sup> Municipal Annual Statement
MAXIMUM CIVIL PENALTY:	\$1,010 as filed 101 days late @\$10 a day
STAFF RECOMMENDATION:	Uphold the maximum civil penalty

Ms. Lillian Woodberry, City Clerk, City of Angoon appeared telephonically and answered questions of the Commission.

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

<b>Mathew Kookesh</b>	<b>2013 Public Official Financial Disclosure</b>
LATE REPORT:	March 15 <sup>th</sup> Municipal Annual Statement
MAXIMUM CIVIL PENALTY:	\$1,630 as filed 163 days late @\$10 a day
STAFF RECOMMENDATION:	Uphold the maximum civil penalty

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

Mr. Edward Jack, Council Member, City of Angoon appeared telephonically and gave statement.

<b>Edward Jack</b>	<b>2013 Public Official Financial Disclosure</b>
LATE REPORT:	March 15 <sup>th</sup> Municipal Annual Statement
MAXIMUM CIVIL PENALTY:	\$1,010 as filed 110 days late @\$10 a day
STAFF RECOMMENDATION:	Refer to the Attorney General

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

Ms. Lorene Anelon, Assembly Member, Lake & Penn. Borough appeared telephonically and gave statement.

**Lorene Anelon**

**2013 Public Official Financial Disclosure**

LATE REPORT:

March 15<sup>th</sup> Municipal Annual Statement

MAXIMUM CIVIL PENALTY:

\$1,540 as filed 154 days late @\$10 a day

STAFF RECOMMENDATION:

Refer to the Attorney General

The Commission postponed their decision regarding the above matter until the November Commission meeting

**The Commission reviewed the remaining items on the consent agenda.**

**City of Mekoryuk:**

- Abraham David, Council Member
- Rose King, Council Member
- Dorothy Kiokun, Council Member
- Daniel Olrún, Jr., Council Member
- Daniel Olrún Sr., City Mayor
- George Whitman, City Vice-Mayor

**Referral to Attorney General Office:**

- Richard George, Council Member, City of Angoon
- Roy Bell, Council Member, City of Hooper Bay
- Robert Wells, School Board member, Northwest Arctic Borough
- Delbert Rexford, Planning & Zoning Commission Member North Slope Borough

**Commissioner Kirk moved to approve the staff recommendations for the items on the consent agenda.**

**Commissioner R. King seconded the motion.**

**The Commission voted 5-0 to approve the staff recommendations for the items on the consent agenda.**

**Public Comment Period [\*]**

No comments from the public were received.

**OFF RECORD: 12:15 p.m.**

**Lunch**

**ON RECORD: 12:30 p.m.**

**Advisory Opinion Request, Senator Hollis French, AO 13-06-CD [6]**

The staff draft advisory opinion was presented by Thomas Lucas, APOC staff.

**Commissioner Kirk moved to approve the draft advisory opinion.  
Commissioner K. King seconded the motion.  
The Commission voted 5-0 to approve the advisory opinion request AO 13-06-CD.**

**Public Commissioner Process & Time Line [7]**

The proposed time line for recruiting the public member of the Commission was presented by Paul Dauphinais, APOC staff.

**Commissioner K. King moved to go onto executive session to discuss personnel matter, consult with the commission counsel and to deliberate on pending matters  
Commissioner R. King seconded the motion.  
The Commission voted 5-0 to approve to go onto executive session.**

**OFF RECORD: 12:50  
Executive Session/Deliberation  
ON RECORD: 2:50 p.m.**

**Commissioner Sanders moved to reconsider the civil penalty of Richard George and Referral to the Attorney General.  
Commissioner R. King seconded the motion.  
The Commission voted 5-0 to approve the request for reconsideration and remove from the referral to the Attorney General consent agenda to reconsider this matter.**

<b>Richard George</b>	<b>2013 Public Official Financial Disclosure</b>
LATE REPORT:	March 15 <sup>th</sup> Municipal Annual Statement
MAXIMUM CIVIL PENALTY:	\$1,010 as filed 110 days late @\$10 a day
STAFF RECOMMENDATION:	Refer to the Attorney General

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

**Commissioner Kirk moved to adjourn.  
Commissioner K. King seconded the motion.**

**OFF RECORD: 3:00 p.m.  
Adjourn**