

ALASKA PUBLIC OFFICES COMMISSION
MINUTES
REGULAR COMMISSION MEETING
OCTOBER 25, 2016

A regular meeting of the Alaska Public Offices Commission (APOC) came to order at 9:00 a.m. on Tuesday, October 25, 2016. The meeting was held in the Elizabeth J. Hickerson Hearing Room 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 person Attendance

Commission:

Vance Sanders – Chair
Thomas Temple – Vice Chair
Irene Catalone – Commissioner
Mark Fish – Commissioner
Ronald King – Commissioner

In person Attendance

Staff:

Heather Hebdon – Acting Executive Director
Delight Mells – Paralegal II
Thomas Lucas – Paralegal II
Michael Schwahn – Recording Clerk

Telephonic Attendance

Staff:

Heather Dalberg – Paralegal I

In person Attendance

Department of Law:

Assistant Attorney General
Jon Woodman
MaryLynn Macsalka

In person Attendees:

Hope Bieling - Observer

Complaint 16-02-POFD Griffin v. Henry

Roger Griffin – Complainant
Daniel Henry – Respondent
Bob Henry – Respondent’s Counsel

Complaint 16-03-POFD Frasca v. Bieling

Cheryl Frasca – Complainant

Ross Bieling – Respondent

Candidate CPAs and Referrals

Bob Lochner – Filer

Group CPAs and Referrals

J.P. Tangen – Alaska Miners Association

Deantha Crockett – Alaska Miners Association

POFD Exemption Request

Jeanne Olson – POFD Filer

Telephonic Attendees:

Emily Files – Reporter, KHNS

POFD CPAs and Referrals

Elizabeth Holm – Filer

Janet Mills – Filer

Candidate CPAs and Referrals

Michael Aamodt – Filer

Justin Parish – Filer

Vern Halter – Filer

Patricia Fischer – Vern Halter Campaign Treasurer

Jon Anderson – Vern Halter Campaign Chair

Kate Troll – Filer

Duncan Fields – Filer

Group CPAs and Referrals

William Meers – Public Employees Local 71 PAC

Tracey Smith – Public Employees Local 71 PAC

Crystal White – Public Employees Local 71 PAC

Julie Hamm – Alaska Republican Assembly

Patty Boyle – Alaska District 31 Democrats

Chung Jang – Arctic PAC

Tel White – M Thunderfund Inc.

Reconsideration of Anchorage Likes Coffey Late Appeal

Art Hackney – Anchorage Likes Coffey, Chair

ON RECORD 9:02 a.m.

Chair Sanders called the meeting to order.

Approval of the Agenda [*]

Commissioner Temple moved to approve the agenda as written.

Commissioner Catalone seconded the motion.

The Commission voted 5-0 to approve the agenda as written.

Approval Meeting Minutes [1]

Commissioner Sanders did not participate in the approval of the below meeting minutes because he was not present for the meetings.

June 8, 2016 – meeting minutes

Commissioner Temple moved to approve the meeting minutes as written.

Commissioner Catalone seconded the motion.

The Commission voted 4-0 to approve the June 8, 2016 meeting minutes as written.

September 1, 2016 – meeting minutes

Commissioner Temple moved to approve the meeting minutes as written.

Commissioner Catalone seconded the motion.

The Commission voted 4-0 to approve the September 1, 2016 meeting minutes as written.

September 15, 2016

Commissioner Temple moved to approve the meeting minutes as written.

Commissioner Catalone seconded the motion.

The Commission voted 4-0 to approve the September 15, 2016 meeting minutes as written.

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

The staff recommendations and referrals to the Attorney General’s Office on the consent agenda were presented by Heather Hebdon, APOC staff.

Commissioner Sanders recused himself from voting on item #21 Albert Howard because of a pending litigation.

Item #19, Dale Stotts, was removed from the consent agenda because the missing report and appeal was filed. The staff will proceed with the penalty assessment process and the matter will be considered at the next scheduled regular Commission meeting.

The Commission approved the remaining items on the consent agenda.

State Filers – Municipal Filers – Late Filed

#1 Donald Stiles

#2 Arlene Franklin

#3 Elizabeth Holm
#4 Bruce McCarthy
#5 Bryce Ward
#6 John W. Andrew
#7 Max Angellan
#8 Elizabeth Dillon
#9 Michael Ivan
#10 Emma Turrentine
#11 Emil Mackey
#12 Michael Powers
#13 Danica Wilson

#14 George Hornberger
#15 Oliver Peetook
#16 Sandra Peetook (Phillips)
#17 Shannon Johnson-Nanalook
#18 Andrew Fermin
#19 Thomas Knudson
#20 Kelly Fields
#21 Arlene Peter
#22 Paul Shewfelt
#23 Bonnie Thomas

Referrals – Neither Paid nor Appealed – State Filers – Municipal Filers – Never Filed

#1 Amos Nashookpuk
#2 Hugh Short
#3 Edward Kagak
#4 Mildred Metcalfe
#5 Peter Olson
#6 Claudia Pinard
#7 Christopher Quist
#8 Raven Sheldon
#9 Mike Minista
#10 Melvin Andrew

#11 Derek McLarty
#12 Gladys Askoak
#13 Tracy Nix
#14 John A. Andrew Jr.
#15 Naomi Itta-Tomas
#16 Janet Mills
#17 Toni Murphy
#18 Martha Foster
#20 Calvin Moto
#21 Albert Howard

Commissioner Temple moved to approve the staff recommendations and referrals to Attorney General Office on the consent agenda.

Commissioner Catalone seconded the motion.

The Commission voted 5-0 to approve the staff recommendations and referrals to Attorney General Office on the consent agenda.

During presentation of other matters two callers indicated they were present for their matters involving POFD civil penalties.

Elizabeth Holm, public official for North Pole appeared telephonically regarding her POFD appeal. Chair Sanders informed her that her appeal had been approved on the consent agenda.

Janet Mills, former public official for Northwest Artic Borough appeared telephonically and gave statement and answered questions from the Commission.

Commissioner King moved to reconsider item #16, Janet Mills, on the consent agenda.

Commissioner Fish seconded the motion.

The Commission voted 5-0 to reconsider item #16, Janet Mills, on the consent agenda.

The following item was removed from the consent agenda for the commission to consider separately.

Janet Mills	2015 Public Official Financial Disclosure
LATE REPORT:	2015 Final POFD
MAXIMUM CIVIL PENALTY:	\$2,840 as filed 284 days late @\$10 a day
STAFF RECOMMENDATION:	Referral to the Attorney General Office

During the discussion, the Commission instructed staff to re-issue Ms. Mills the notice of penalty assessment letter. The Commission further instructed Ms. Mills to complete and resubmit an appeal with supporting documents so the Commission could reconsider her matter at the next scheduled regular Commission meeting.

Commissioner King moved to consider the above matter at the next scheduled Commission Meeting.

Commissioner Temple seconded the motion.

The Commission voted 5-0 to consider the above matter to the next scheduled Commission Meeting.

Executive Director's Report [10]

The Executive Director's report was presented by Heather Hebdon, APOC staff.

Re-adoption of Regulations Revisions [11]

The proposed re-adoption of regulations were presented by Heather Hebdon, APOC staff, and Mary Lynn Macsalka, Assistant Attorney General.

Commissioner King moved to re-adopt the regulations as proposed.

Commissioner Catalone seconded the motion.

The Commission voted 5-0 to re-adopt the regulation as proposed.

OFF RECORD: 9:45 a.m.

Break

ON RECORD 10:00 a.m.

COMPLAINT

16-02-POFD, Roger Griffin v. Assemblyman Daniel Henry [3]

The staff report was presented by Heather Hebdon, APOC staff. The following individuals appeared in person to present arguments, and answer questions from the Commission.

- Roger Griffin – Complainant
- Daniel Henry – Respondent
- Bob Bundy – Respondent's Counsel

OFF RECORD 10:15 a.m.

Break

ON RECORD 10:17 a.m.

The Commission took the above matter under advisement.

15-08-LFD, APOC v. Senator Lesil McGuire [4]

The staff report was presented by Heather Hebdon, APOC staff.

The Commission took the above matter under advisement.

OFF RECORD 10:46 a.m.

Break

ON RECORD 10:50 a.m.

16-03-POFD, Cheryl Frasca v. Ross Bieling [5]

The staff report was presented by Heather Hebdon, APOC staff.

Ross Bieling, respondent, appeared in person to present an argument and answer questions from the Commission.

The Commission took the above matter under advisement.

OFF RECORD 11:01 a.m.

Break

ON RECORD 11:14 a.m.

POFD Exemption Request Appeal from Jeanne Olson [6]

The appeal from staff's response to the request for exemption was presented by Heather Hebdon, APOC staff. Jeanne Olson, requestor appeared in person, gave a statement and answered questions from the Commission.

The Commission took the above matter under advisement.

Consent Agenda, Candidate Civil Penalty Appeals & Referrals to Attorney General Office [7]

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

The Commission approved the remaining items on the consent agenda.

#2 Duncan Fields

#9 Kurt Olson

#3 Terre Gales

#10 Sherie Olson

#5 Robert Henrichs

#12 Treg Taylor

#6 Bill Hibler

#14 Adam Trombley

#7 Daniel Lynch

#15 Andrew Phillips Wright

#8 Lesil McGuire

Commissioner Temple moved to approve the staff recommendations and referrals to Attorney General Office on the consent agenda.

Commissioner King seconded the motion.

The Commission voted 5-0 to approve the remaining items listed on the consent agenda.

The following items were removed from the consent agenda by request for the Commission to consider separately.

#13 Kate Troll

#11 Justin Parish

#1 Michael Aamodt

#16 Christian Hartley

#4 Vern halter

#17 Bob Lochner

Commissioner King recused himself from the matter due to a personal conflict.

Kate Troll

LATE REPORT:

MAXIMUM CIVIL PENALTY:

Total

STAFF RECOMMENDATION:

Juneau City & Borough Election

2014 & 2015 Future Campaign Account Reports

\$26,950 filed 539 days late

\$8,750 filed 175 days late

\$ 35,700 filed 714 days late

Reduction of 99% to \$357

Kate Troll, Candidate appeared telephonically, gave a statement and answered questions from the Commission.

The Commission took the above matter under advisement.

Justin Parish

LATE REPORT:

MAXIMUM CIVIL PENALTY:

STAFF RECOMMENDATION:

2016 State Primary Election

7 Day Campaign Disclosure Report

\$1,000 filed 2 days late

Reduction of 50% to \$500

Justin Parish, Candidate appeared telephonically, gave a statement and answered questions from the Commission.

The Commission took the above matter under advisement.

Michael Aamodt

LATE REPORT:

MAXIMUM CIVIL PENALTY:

STAFF RECOMMENDATION:

2016 North Slope Borough Special Election

7 Day Campaign Disclosure Report

\$500 filed 1 day late

Reduction of 50% to \$250

Michael Aamodt, Candidate appeared telephonically, gave a statement and answered questions from the Commission.

The Commission took the above matter under advisement.

Vern Halter	2015 Mat-Su Borough Election
LATE REPORT:	24 Hour Campaign Disclosure Report
MAXIMUM CIVIL PENALTY:	\$53,500 filed 107 days late
STAFF RECOMMENDATION:	Reduction of 99% to 535

Vern Halter, Candidate and Patricia Fischer, campaign treasurer appeared telephonically gave a statement and answered questions from the Commission.

The Commission took the above matter under advisement.

Bob Lochner	2016 State Primary Election
LATE REPORT:	30 Day Campaign Disclosure Report
MAXIMUM CIVIL PENALTY:	\$50 filed 1 days late
STAFF RECOMMENDATION:	Referral to the Attorney General office

Bob Lochner, Candidate appeared in person, gave a statement and answered questions from the Commission.

Commissioner Temple moved to reissue the original referral and issue a staff recommendation to waive the \$50 assessed penalty.

Commissioner King seconded the motion.

The Commission voted 5-0 to reissue the original referral and issue a staff recommendations to waive the \$50 assessed penalty.

Commissioner King moved to consider the staff recommendation to the Commission to waive the \$50 assessed penalty. Commissioner Fish seconded the motion.

The Commission voted 4-1 to consider the staff recommendation to the Commission to waive the \$50 assessed penalty.

Christian Hartley	2016 State Primary Election
LATE REPORT:	2016 30 Day Campaign Disclosure Report
MAXIMUM CIVIL PENALTY:	\$50 filed 1 days late
STAFF RECOMMENDATION:	Referral to the Attorney General office

Commissioner Temple moved to reissue the correct referral. Commissioner King seconded the motion.

The Commission voted 5-0 to reissue the correct referral.

Public Comment [*]

No public comments were received.

OFF RECORD 12:37pm

Public Comment/Lunch

ON RECORD 1:01pm

Consent Agenda, Group Civil Penalty Appeals & Referrals to Attorney General Office [8]

The staff recommendations on the consent agenda and referrals to Attorney General's Office were presented by Thomas Lucas, APOC staff.

The Commission approved the remaining items on the consent agenda.

- | | |
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| #2 Alaska Miners Association | #7 M Thunder Fund, Inc. |
| #3 Alaska Miners Association | #9 Public Employees Local 71 PAC |
| #4 Alaska Republican Assembly | #10 Public Safety Employees Association |
| #5 Arctic PAC | #11 United Brotherhood of Carpenters PAC |
| #6 Kenai peninsula Republican Women's Club | |

Commissioner King moved to approve the staff recommendation for the above items on the consent agenda.

Commissioner Temple seconded the motion.

The Commission voted 5-0 to approve the the staff recommendation for the above items on the consent agenda

Commissioner Fish recused himself from items #2 & #3 AK Miners Association due to a personal conflict.

The following items were removed from the consent agenda for the Commission to consider separately.

- | | |
|---------------------------------|---------------------------------------|
| #1 Alaska District 31 Democrats | #3 Alaska Miners Association |
| #2 Alaska miners Association | #8 Pedro Fernandez for House District |

Alaska District 31 Democrats

LATE REPORT:

MAXIMUM CIVIL PENALTY:

STAFF RECOMMENDATION:

2016 State Primary Election

2016 30 Day Campaign Disclosure Report

\$150 filed 3 days late

Reduction of 50% to \$75

Patty Boyle appeared telephonically to give a statement and answer questions of the Commission.

The Commission took the above matter under advisement.

Alaska Miners Association

LATE REPORT:

MAXIMUM CIVIL PENALTY:

STAFF RECOMMENDATION:

2016 State Primary Election

2016 30 Day Campaign Disclosure Report

\$2,100 filed 42 days late

Uphold at \$2,100

Alaska Miners Association

LATE REPORT:
MAXIMUM CIVIL PENALTY:
STAFF RECOMMENDATION:

2016 State Primary Election

2016 7 Day Campaign Disclosure Report
\$10,000 filed 20 days late @\$500
Reduction of 90% to \$1,000

J.P. Tangen and Deantha Crockett appeared in person to give statements and answer questions of the Commission.

The Commission took the both above matter under advisement.

Pedro Fernandez

LATE REPORT:
MAXIMUM CIVIL PENALTY:
STAFF RECOMMENDATION:

2016 State Primary Election

2016 30 Day Campaign Disclosure Report
\$150 filed 3 days late
Reduction of 75% to \$37.50

The Commission took the above matter under advisement.

Reconsideration of Anchorage Likes Coffey/Late Filed Appeal [9]

The reconsideration of the motion to accept a late -filed appeal in the matter of Anchorage likes Coffey was presented by Thomas Lucas, APOC staff. Art Hackney appeared telephonically to give a statement and answer questions from the Commission.

The Commission took the above matter under advisement.

Commissioner Temple moved to go into Executive Session to deliberate on pending matters.

Commissioner Fish seconded the motion.

The Commission voted 5-0 to go into Executive Session to deliberate on pending matters.

The Commission did not return to the public record after the executive session.

OFF RECORD 1:40 p.m.

Executive Session/Deliberation

Adjourn