

ALASKA PUBLIC OFFICES COMMISSION
MINUTES
REGULAR COMMISSION MEETING
JUNE 9, 2011

A regular meeting of the Alaska Public Offices Commission came to order at 9:00 a.m. on Thursday, June 9, 2010. 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
Kathleen Frederick – Commissioner
Shirley Dean – Commissioner
Kenneth Kirk – Commissioner

Staff:

Paul Dauphinais - Executive Director
Jerry Anderson – Assistant Director
Joan Mize – Acting Project Coordinator II Juneau Office
(Telephonically)
Vullnet Greva – Associate Attorney II
Martha Tansik – Associate Attorney II
Kim Wilson – Associate Attorney I
Heather Hebdon – Paralegal II
Tamzin Malone – Paralegal I
Amanda McDonald – Paralegal I
Reuben Yerkes- Law Office Assistant I (Telephonically)
Maria Bulfa – Law Office Assistant II

Attendees:

John Ptacin – Assistant Attorney General, Dept. of Law
Bill Milks- Assistant Attorney General, Dept. of Law
(Telephonically)
Colleen Sullivan Leonard- Treasurer for RSA-Valley Republican
Women’s Club (Telephonically)
Douglas W. Isaacson- Respondent case number 10-16-CD
(Telephonically)
Dianne Lindhag- Complainant case number 10-16-CD
(Telephonically)
Glenda Feeken- Chairperson, Committee for Responsible Growth
and Respondent case number 10-18-CD (Telephonically)

Kari Butler- Treasurer for Committee for Responsible Growth case number 10-18-CD (Telephonically)
Virginia Rusch – Contract Regulations Attorney
Dr. Theresa Obermeyer – Complainant case number 11-01-CD (Telephonically)
Andrew Harrington- Attorney for AK Judicial Council case number 11-01-CD
Larry Cohn- Executive Director, AK Judicial Council Case number 11-01-CD
Dave Jones- Assistant Attorney General, Depart. of Law
Jim Lottsfeldt- Self, as part of 11-06-CD
Matt Singer- Attorney for International of Fire Fighters Local 1264 (IAFF)-Anchorage case number 11-06-CD
Mike Kenny- Candidate for 2011 Anchorage Municipal Election case number 11-06-CD

ON RECORD 9:00 a.m.

Chair Hickerson called the meeting to order.

Consent Agenda: Group Campaign Disclosure and Referral to Attorney General [11]

This is a continuation from the Wednesday, June 8, 2011 meeting.

Presented by Tamzin Malone and Vullnet Greva, APOC staff

The Commission removed the following Group from the consent agenda:

RESPONDENT:	Fairbanks Fire Fighter Association (FFFA)
STATUS:	Group
LATE REPORT:	2010 February Year-end Report, filed 13 days late
MAXIMUM CIVIL PENALTY:	\$130
STAFF RECOMMENDATION:	Uphold the maximum civil penalty

Commissioner Frederick moved to accept staff recommendation.

Commissioner Dean seconded the motion.

The Commission voted 5-0 in favor of the motion.

RESPONDENT: Interior Taxpayer Association, Inc. (ITA)
STATUS: Group
LATE REPORT: 2010 February Year-end Report, filed 64 days late
MAXIMUM CIVIL PENALTY: \$640
STAFF RECOMMENDATION: Reduce civil penalty by 25%

During the discussion the Commission decided to delete the last sentence from the staff recommendation on page 49 of the staff report.

Commissioner Kirk moved to accept staff recommendation with the amendment.

Commissioner King seconded the motion.

Roll call:

Chair Hickerson- Yes
Commissioner King- Yes
Commissioner Kirk- Yes
Commissioner Frederick- No
Commissioner Dean- No

The Commission voted 3-2 in favor of the motion.

RESPONDENT: RSA- District 34
STATUS: Group
LATE REPORT: 2010 February Year-end Report, filed 27 days late
MAXIMUM CIVIL PENALTY: \$270
STAFF RECOMMENDATION: Reduced civil penalty by 50%

Commissioner Kirk moved to accept staff recommendation.

Commissioner King seconded the motion.

The Commission voted 1-3 the motion failed

Roll Call:

Commissioner Kirk- Yes
Chair Hickerson- No
Commissioner Dean- No
Commissioner Frederick- No
Commissioner King- No

During the discussion the Commission decided to delete the last paragraph from the staff recommendation on page 57 of the staff report.

Commissioner Dean moved to reject staff’s recommendation and to imposed a 25% reduction of the assessed civil penalty based on the mitigation criteria for error, no significant harm to the public, no aggravating factors, and a de minimus amount.

Commissioner Frederick seconded the motion.

The Commission voted 5-0 in favor of the motion.

RESPONDENT:	RSA- Valley Republican Women’s Club
STATUS:	Group
LATE REPORT:	2011 Registration for Mat-Su Special Election, filed 25 days late
MAXIMUM CIVIL PENALTY:	\$250
STAFF RECOMMENDATION:	Waive \$30 of civil penalty and reduce the remaining balance by 50%

Colleen Sullivan Leonard, treasurer for “RSA- Valley Republican Women’s Club” appeared telephonically and gave brief statement in support of her appeal.

Commissioner King moved to accept staff recommendation.

Commissioner Frederick seconded the motion.

The Commission voted 5-0 in favor of the motion.

Consent Agenda: Candidate Campaign Disclosure and Referral to Attorney General [12]

Presented by Heather Hebdon, APOC staff

Commissioner Dean moved to approve the consent agenda and the Referral to Attorney General.

Commissioner Frederick seconded the motion.

The Commission voted 5-0 in favor of the motion.

Consent Agenda: Individual Independent Expenditures [13]

RESPONDENT: Jackie G. Hobson

STATUS: Candidate

LATE REPORT: 15-6 Independent Expenditures, filed 125 days late

MAXIMUM CIVIL PENALTY: \$ 6250

STAFF RECOMMENDATION: Reduced civil penalty by 98% to \$125

Commissioner King moved to accept staff recommendation.

Commissioner Dean seconded the motion.

Motion failed.

Commissioner Kirk moved to modify the first motion to impose 80% reduction of the assessed civil penalty based on mitigation criteria for Inexperience filer and no significant harm to the public.

Commissioner King seconded the motion.

Commissioner Kirk made a friendly amendment to impose a 90% reduction of the assessed civil penalty based on mitigation criteria for Inexperience filer and no significant harm to the public.

Roll Call:

Commissioner Kirk- Yes
Chair Hickerson- No
Commissioner Dean- No
Commissioner Frederick- No
Commissioner King- No

The amended motion failed

Commissioner King moved to accept staff recommendation.

Commissioner Dean seconded the motion.

The Commission voted 5-0 in favor of the motion.

The Commission went on executive session to seek counsel from the Assistant Attorney General, John Ptacin.

**OFF RECORD 10:00 a.m.
Break/Executive Session
ON RECORD 11:05 a.m.**

The Commission returned from the executive session.

Reconsideration of Fine in the matter of 10-16-CD: North Pole Community Coalition Effort to recall North Pole Mayor Isaacson v. Douglas W. Isaacson [20]

Douglas Isaacson, North Pole Mayor appeared telephonically and gave statement. Paul Dauphinais, APOC Executive Director participated in the discussion.

Dianne Lindhag, complainant on behalf of North Pole Community Coalition Effort to recall North Pole Mayor Isaacson appeared telephonically.

Commissioner Dean moved to deny the reconsideration of fine in the matter of 10-16-CD due to untimely submission of the of the reconsideration request from the respondent.

Commissioner King seconded the motion.

The Commission voted 5-0 in favor of the motion.

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

Commissioner Frederick seconded the motion.

The Commission voted 5-0 in favor of the motion.

**OFF RECORD 11:25 a.m.
Executive Session/Lunch
ON RECORD 1:00 p.m.**

Dr. Theresa Obermeyer v. AK Judicial Council, 11-01-CD [14]

Presented by Vullnet Greva, APOC staff and John Ptacin, Assistant attorney general, Department of Law

Commissioner Kirk recused himself from participating due to recent litigation.

Commissioner Frederick recused herself based on a potential perception of a lack of impartiality.

OFF RECORD 1:05 p.m.

Recess

ON RECORD 1:10 p.m.

Dr. Theresa Obermeyer, complainant appeared telephonically and gave statement in support of her complaint.

John Ptacin, Assistant attorney general, Department of Law appeared in person and presented his statement in support of staff report.

Larry Cohn, Executive Director for AK Judicial Council appeared in person and testified in the above matter.

Andy Harrington, respondent's attorney appeared in person and gave statement in the above matter.

OFF RECORD 2:12 p.m.

Break

ON RECORD 2:18 p.m.

Kristine A. Schmidt v. Committee for Responsible Growth, 10-18-CD [15]

Presented by Vullnet Greva, APOC staff and John Ptacin, Assistant attorney general, Department of Law

Glenda Feecken, Chair person for Committee for Responsible Growth and the respondent of case number 10-18-CD appeared telephonically.

Kari Butler, treasurer for Committee for Responsible Growth appeared telephonically.

Commissioner King moved to approve the consent agreement.

Commissioner Frederick seconded the motion.

The Commission voted 5-0 in favor of the motion.

Commissioner Frederick moved to go on executive session to discuss pending litigation.

Commissioner Dean seconded the motion

The Commission voted 5-0 in favor of the motion.

OFF RECORD 2:25 p.m.

Executive Session

ON RECORD 3:00 p.m.

Merrick Peirce v. North Star Volunteer Fire Department, 11-04-CD [16]

Presented by Vullnet Greva, APOC staff and John Ptacin, Assistant attorney general,
Department of Law

The Commission will take this matter in under consideration.

OFF RECORD 3:15 p.m.

Deliberation

ON RECORD 3:45 p.m.

**Angela Hamann v. International Association of Fire Fighters Local 1264-
Anchorage, 11-06-CD [17]**

Presented by Vullnet Greva, APOC staff and John Ptacin, Assistant attorney general,
Department of Law

Matt Singer, respondent attorney appeared in person and gave statement.

Mike Kenny, Candidate for 2011 Anchorage Municipal Election appeared in person,
sworn in and gave testimony in the above matter.

**Chair Hickerson announced on the record that they will deliberate on this matter on
Thursday, June 9th.**

Adjourned

OFF RECORD 4:25 p.m.

The Commission recessed until Friday, June 10th at 9:00 a.m.