

ALASKA STATE PERSONNEL BOARD MEETING

September 30, 2014

12:00 P.M.

Bayview Building

619 East Ship Creek Avenue, Suite 309

Anchorage, Alaska

In person:

Al Tamagni, Chair

Johanna Hickel, Board Member

Kate Sheehan, Secretary to the Personnel Board

Jonathan Woodman, Assistant Attorney General, Department of Law

Bill Milks, Assistant Attorney General, Department of Law

Fran Rabago, Alaska Public Employees Association

Present by teleconference:

Nancy Sutch, Deputy Director, Division of Personnel & Labor Relations

Pam Day, Human Resources Consultant V, Division of Personnel & Labor Relations

Kim Garrett, Division of Personnel & Labor Relations

Jeff Hahnen, Division of Personnel & Labor Relations

1. CALL TO ORDER

Chairman Tamagni called the meeting to order at 12:04 pm

2. APPROVAL OF AGENDA

The agenda was moved and approved.

3. APPROVAL OF MINUTES

The minutes of the July 1, 2014, meeting were moved and approved.

4. ETHICS DISCLOSURE – PERSONNEL BOARD MEMBERS

The board members had no disclosures or conflicts of interest that they were aware of.

5. REVIEW OF QUARTERLY ETHICS REPORTS

Memorandum provided to the Board which served as an addendum to a previous report regarding the Alaska Board of Fisheries after a question was presented at the last personnel board meeting. No follow up was necessary.

6. REVIEW OF ETHICS CASE LOG

There were questions regarding case no. AN2014101954. The Board went into Executive Session to discuss.

7. EXECUTIVE SESSION UNDER AS 44.62.310(c)(3)

The Personnel Board went into Executive Session. After concluding the Executive Session, Board Member Hickel went on the record that during the

Executive Session, the Board moved and approved that case no. AN201401954 should be dismissed because the complainant did not provide a sworn complaint, because the complaint was withdrawn, because the allegations made in the complaint, even if sworn and true, do not constitute conduct in violation of the Ethics Act and because the complainant violated confidentiality by going to the press.

8. REVIEW OF BOARD'S ROLE AND RESPONSIBILITY

Kate Sheehan, Secretary to the Board, provided the Board members with updated notebooks containing information relevant to the Board's role and responsibility.

Bill Milks, AAG and attorney counsel to the Personnel Board reviewed AS 39.25 (State Personnel Act) with the Board members specifically discussing their statutory powers and duties: specifically, its powers to approve or disapprove amendments to the personnel rules and consider and act upon recommendations for the extension of the partially exempt service and the classified service. There was further discussion on the Board's ability to adopt rules of procedures. It was determined that a vice chair could be elected without having a specific rule of procedure. This vote will take place at the next scheduled Board meeting.

Jonathan Woodman, AAG and State Ethics Attorney, reviewed AS. 39.52 (Alaska Executive Branch Ethics Act) and the Board's role with regards to ethics complaints. Discussion was had on the Board's role when a complaint is filed against the Governor, Lieutenant Governor or Attorney General as well as the role of the independent counsel. Additional discussion was held regarding the selection of outside legal counsel. The Board questioned whether or not it needed to follow procurement rules in light of the statutory ability to select the independent counsel. Chairman Tamagni stated that past practice has been to both to hire directly as well as to hire through a Request for Proposal (RFP). Kate Sheehan was tasked with looking into this matter further.

9. UPDATE FROM THE DIRECTOR OF PERSONNEL & LABOR RELATIONS

The Board would like to schedule its next meeting between December 1-15, 2014.

10. ADJOURNMENT

The meeting adjourned at 1:05 p.m.