

City and Borough of Juneau Personnel Board
Monday, August 19, 2013 - Noon
City Hall Conference Room 224
Minutes

I. Call to Order: Chair Nicki Neal called the meeting to order at 12:02 p.m.

II. Roll Call

Board Present: Brett Allio, Nicki Neal, and Judy Porter.

Board Absent: Joan Cahill, Max Mielke.

Others Present: Mila Cosgrove, CBJ Human Resources & Risk Management Director; Ben Goldrich, MEBA District One Union Representative; Chris Orman, CBJ Assistant City Attorney and Counsel to the Personnel Board; Laurie Sica, Municipal Clerk; Randy Beason, Airport Field Maintenance Group member.

III. Election of Chair / Vice-Chair for CY13

Hearing no objection, the Board agreed to postpone this election to the next meeting of the Board in order to allow greater Board participation.

IV. Approval of Minutes

1. July 9, 2013 Personnel Board Meeting Minutes

MOTION, by Allio, to approve the minutes. Hearing no objection, the minutes of July 9, 2013 were approved with a corrected date of the meeting.

V. Request for Reinclusion in Bargaining Unit – Airport Field Maintenance Group

Ms. Neal said that at the last meeting, the Personnel Board authorized an election to be held outside of the defined window period and the minutes outlined the election process.

Mr. Goldrich said the election was held and the ballots were counted with the exception of one missing ballot. The remaining ballot was returned following the August 9 date of the election, postmarked on August 6, and he asked the Board to consider allowing the ballot to be counted.

Ms. Cosgrove said the Board had some concerns about the availability of the Personnel Board to meet, so the election was timed so this meeting could happen and requested that the ballots be returned by August 9. The concern was that people might drop it in the mail on August 9 and there would not be insufficient time for this meeting today. Ms. Cosgrove verified with Ms. Sica that the postmark

was August 6, 2013, from Douglas, Alaska, so one would assume that it would have arrived by August 9.

Ms. Neal noted that all members had to vote in the affirmative for the election to be held outside of the window period, in order for the vote for reinclusion to be counted.

Ms. Porter said this remaining ballot would create a 100% return of all member's ballots.

Mr. Allio said the board had not addressed postmarks in the ballot instructions, but this remaining ballot should have been received in sufficient time given that it was mailed on August 6.

Ms. Neal asked Mr. Orman for advise on how to proceed. Mr. Orman said the instructions to the voters stated that the ballots should be received by August 9, but the Board could view it as the member dropped off his ballot in the mail on August 6 assuming it would be received by August 9, essentially complying with the intent. Procedurally, this would have met the requirements if not for unforeseen circumstances, as it was not postmarked on August 9 or after. There did not appear to be anyone challenging this ballot from being counted. The fact that it took 9 days to deliver mail from the Douglas Post Office to downtown was a little extraordinary.

Ms. Porter said she agreed in principle but wondered about setting precedent for future elections. Mr. Orman said in the future the Board could set different procedures and use a postmark date, with perhaps a final date to receive the mail for a final cut-off. He did not believe that a decision at this meeting would set a precedent.

MOTION, by Allio, to accept the ballot that was postmarked on August 6, 2013. Hearing no objection, it was so ordered.

The ballot was Mr. Beason's ballot, who was present, and he waived his right to a secret ballot. Ms. Sica opened the ballot and Ms. Neal read the results – with a yes vote for both Question 1 and Question 2.

The Board discussed procedures and rules, and determined it would sign a Certification of Election with an effective date five days from August 19, 2013 contingent upon no appeals or objections of the election within that time period. Ms. Sica provided the results to the Board and the Board signed the Certification of Election.

VI. Agenda Items and Schedule for Next Meeting – No meeting was scheduled.

VII. Adjournment: 12:30 p.m.

Submitted by Laurie Sica, Municipal Clerk

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