Assembly Considers Closer Oversight of Management

Tuesday, 13 November 2012

{audio}/images/stories/mp3/121113.assembly_conflict_discussion.mp3{/audio}

Brianna Gibbs/KMXT

Despite having met with the school board earlier in the evening, the Kodiak Island Borough Assembly held its second work session of the night on Thursday, though there was only one item on the agenda: revising borough code for professional services contracts.

The call for revisions came about earlier this fall when questions were raised among some assembly members about conflict of interest regarding contracts between the borough and assembly members.

Assemblyman Tuck Bonney and Assemblywoman Carol Austerman met earlier in the week with borough staff to scrape through the code and make draft changes. One of the three big changes recommended to the assembly would require the borough manager to report any contracts between the borough and any assembly member or their immediate family at the next regular meeting. Before, any contract under $25,000 could be done at the manager’s discretion. If this change is made then all contracts that pose a possible conflict of interest, no matter the amount, will be brought to the assembly.

Another recommended change would allow contracts for professional services that don’t pose a conflict of interest to forego the bid process entirely. Austerman said the assembly would still be the deciding factor.

-- (Borough Code 1 :21 “And what Tuck and I wanted…but only by the assembly’s direction.”)

Austerman said the borough manager would still have a say in the matter, in fact it would be the manager who would make the recommendation to the assembly about the exemption.

-- (Borough Code 2 :19 “Because it was originally written that…to come before the assembly.”)

Acting Borough Manager Bud Cassidy stepped in to clarify exactly what this change could mean.

-- (Borough Code 3 :20 “Let me give you a real world example…need something fairly quickly.”)

According to the draft, assembly members could approve the exemption by consensus via email, but Assemblyman Aaron Griffin questioned if that

method violated open meetings laws

-- (Borough Code 4 :11 “I guess I’m worried that this is…then we’re conducting business.”)

Cassidy said the borough attorney still needs to comb through the recommendations and said they will be sure to get her legal opinion on the matter. Another potential change that endured heavy discussion was the section of the code pertaining to change orders. While Bonney and Austerman did recommend some changes, it was agreed by most assembly members that the section needs an even closer look and should be reworded to fit larger projects. Austerman said she would sit down with borough staff and fellow assembly members to do just that. The hope is to have a draft of all the changes ready for introduction by the assembly during the first meeting in December.

###