

## MINUTES

**North Dakota Public Employees Retirement System  
VIA TELECONFERENCE  
Tuesday, March 9, 2021  
8:30 A.M.**

Members Via Phone: Chairperson Mona Rindy  
Mr. Adam Miller  
Ms. Casey Goodhouse  
Ms. Kim Wassim  
Mr. Troy Seibel  
Ms. Yvonne Smith

Members Absent: Senator Tim Mathern  
Representative Jason Dockter  
Mr. Dirk Wilke

Others Via Phone: Mr. Scott Miller, NDPERS  
Mr. Derrick Hohbein, NDPERS  
Ms. Rebecca Fricke, NDPERS  
Ms. MaryJo Anderson, NDPERS  
Mr. Bryan Reinhardt, NDPERS

Chairperson Mona Rindy called the meeting to order at 8:30 A.M. The meeting was held by teleconference; roll call was taken, and a quorum was present.

Chairperson Rindy called for any questions or comments regarding the minutes of the February 9, 2021 Board Meeting.

**MS. SMITH MOVED TO APPROVE THE MINUTES OF THE FEBRUARY 9, 2021 BOARD MEETING. THE MOTION WAS SECONDED BY MR. ADAM MILLER AND CARRIED BY VOICE VOTE. THE MINUTES WERE APPROVED.**

### PRESENTATIONS

#### Ethics Commission

Mr. Scott Miller gave a brief history of the North Dakota Ethics Commission and introduced Mr. David Thiele to begin the presentation. The Commission was established by a Constitutional Measure in 2018 and created by Article 14 of the Constitution. Five Commissioners were appointed in August 2019. Mr. David Thiele was appointed in January 2020 as the first Executive Director of the Commission. Mr. Thiele's presentation outlined the Commission's jurisdiction, scope of work, and provided guidance to the Board about fiduciary responsibilities, conflict of interest, and the gift rule. He answered questions regarding how the gift rule might apply to staff. Guidelines and additional information will soon be available in a Q&A format on the Commission's website. Discussion followed.

### RETIREMENT

Retiree Health Insurance Credit (RHIC) Request For Proposal

Mr. Bryan Reinhardt informed the Board that the RHIC 6-year administrative service contract with the current third-party administrator will expire at the end of the calendar year and must go out to bid. Staff prepared a Request for Proposal for the Board's review. The RFP and model contract has been reviewed by legal counsel.

**MS. WASSIM MOVED TO APPROVE THE RETIREE HEALTH INSURANCE CREDIT (RHIC) REQUEST FOR PROPOSAL. THE MOTION WAS SECONDED BY MS. SMITH.**

**Ayes:** Ms. Goodhouse, Ms. Wassim, Mr. Adam Miller, Mr. Seibel, Ms. Smith, and Chairperson Rindy

**Nays:** None

**Absent:** Senator Mathern, Mr. Wilke, and Representative Dockter

**MOTION PASSED**

**GROUP INSURANCE**

Vision Insurance Plan Renewal Contract Amendment

Ms. Rebecca Fricke recapped Board discussion from the February meeting when the Board approved a contract renewal of the group vision plan with Superior Vision. The contract amendment for the plan year January 1, 2022 through December 31, 2023 has been reviewed and approved by legal counsel and Superior Vision. Contracts for group insurance require the signature of the Board Chair. Discussion followed.

**MS. WASSIM MOVED TO APPROVE THE VISION INSURANCE PLAN RENEWAL CONTRACT AMENDMENT. THE MOTION WAS SECONDED BY MS. GOODHOUSE.**

**Ayes:** Ms. Goodhouse, Ms. Wassim, Mr. Adam Miller, Mr. Seibel, Ms. Smith, and Chairperson Rindy

**Nays:** None

**Absent:** Senator Mathern, Mr. Wilke, and Representative Dockter

**MOTION PASSED**

FlexComp 2020 Plan Year Grace Period and Claims Submission Deadlines

Ms. Fricke summarized President Trump's COVID-19 Relief Bill passed by Congress on December 27, 2020 as it relates to NDPERS. Ms. Fricke shared information about a provision where extensions may be offered in recognition that individuals may have had their ability to utilize the funds in their dependent care and/or medical spending accounts impacted by the pandemic.

Ms. Fricke emphasized that this provision is optional for the plan sponsor to offer, not mandatory.

Ms. Fricke outlined specifics of the grace period and claims submission deadlines. Staff recommends allowing the extension of the 2020 plan year claims submission deadline from April 30 to June 15, 2021. Staff has confirmed with the FlexComp Plan third-party administrator that they are able to administer the extensions and comply with the account balance forfeiture language. Discussion followed.

**MS. GOODHOUSE MOVED TO APPROVE EXTENSION OF THE FLEXCOMP 2020 PLAN YEAR GRACE PERIOD AND CLAIMS SUBMISSION DEADLINE. THE MOTION WAS SECONDED BY MS. WASSIM.**

**Ayes:** Ms. Goodhouse, Ms. Wassim, Mr. Adam Miller, Mr. Seibel, Ms. Smith, and Chairperson Rindy

**Nays:** None

**Absent:** Senator Mathern, Mr. Wilke, and Representative Dockter

**MOTION PASSED**

**MISCELLANEOUS**

Employment Policies and Practices

Mr. Miller provided history about NDPERS' practice to conduct a pre-employment credit background check and a Criminal History Record Information Check (CHRI), which is the FBI fingerprint check through the ND Bureau of Criminal Investigation. BCI has selected NDPERS for audit of the agency's policy and procedure for conducting background checks. The audits are conducted on a 3-year cycle. The policy has been in place for several years but there was not a written policy outlining criteria used in determining a candidate's eligibility for employment based on results of a background check as required by the audit. Staff took this opportunity to review and update the hiring and pre-employment policy and present it to the Board for approval.

The Board reviewed the draft policy and supporting documents. Discussion followed.

**MS. WASSIM MOVED TO REVISE THE DRAFT POLICY BY REMOVING A STATEMENT REGARDING EMPLOYEES WHO TRANSFER TO NDPERS AND APPROVE THE REMAINDER OF THE POLICY ON CONDUCTING BACKGROUND CHECKS. THE MOTION WAS SECONDED BY MS. GOODHOUSE.**

**Ayes:** Ms. Goodhouse, Ms. Wassim, Mr. Adam Miller, Mr. Seibel, Ms. Smith, and Chairperson Rindy

**Nays:** None

**Absent:** Senator Mathern, Mr. Wilke, and Representative Dockter

**MOTION PASSED**

Office Relocation Update

Mr. Derrick Hohbein provided an update on the preparation for the office relocation to the WSI building next biennium. He presented a summary of continuing work efforts and expected costs. There is money available in the current budget to cover these costs because operations and salaries are trending low and travel was cancelled for most of 2020 due to the pandemic. Costs can be absorbed without the use of contingency funds. As costs are approved, staff will move forward with procuring equipment and services that can occur in this biennium. Discussion followed.

**MS. SMITH MOVED TO APPROVE THE COST PROPOSALS AND APPROVE THE EXECUTIVE DIRECTOR TO SIGN QUOTES. THE MOTION WAS SECONDED BY MS. GOODHOUSE.**

**Ayes:** Ms. Goodhouse, Ms. Wassim, Mr. Adam Miller, Mr. Seibel, Ms. Smith, and Chairperson Rindy

**Nays:** None

**Absent:** Senator Mathern, Mr. Wilke, and Representative Dockter

**MOTION PASSED**

Audit Committee Minutes, Charter Matrix, and Audit Plan

This agenda item will be discussed at the April 13 Board Meeting.

Legislation

Scott Miller recapped Board discussion from the Special Meeting on March 2<sup>nd</sup> and updated the Board on the current status of several bills staff is continuing to track. The bill tracking matrix was included in the board materials.

Chairperson Rindy called for any other business or comments. Hearing none, the meeting was adjourned at 10:20 A.M.

Prepared by,

Jan Lund  
Assistant to the Board