

MINUTES

North Dakota Public Employees Retirement System SPECIAL MEETING Friday, May 12, 2023 3:30 P.M.

Members Via Teams: Chairperson Mona Rindy
Ms. Casey Goodhouse
Ms. Yvonne Smith
Mr. Adam Miller
Mr. Jason Grueneich
Mr. Dirk Wilke
Representative Dobervich

Members Absent: Ms. Claire Ness
Representative Stemen

Others: Mr. Scott Miller, NDPERS
Mr. Derrick Hohbein, NDPERS
Ms. Rebecca Fricke, NDPERS
Mr. Rob Gauss, Ice Miller Consultants

Chairperson Mona Rindy called the meeting to order at 3:30 P.M. Roll call was taken, and a quorum was present.

LITIGATION REPRESENTATION CONSIDERATION

Litigation Related Discussion

Mr. Scott Miller provided background and a summary of actions leading up to the topic of litigation.

This agenda item was noticed for Executive Session for the board, staff, and consultants to discuss negotiating strategy with the attorney in a Closed Session.

MR. ADAM MILLER MOVED TO ENTER INTO EXECUTIVE SESSION PURSUANT TO N.D.C.C. §44-04-19.1(9) AND §44-04-19.2 TO DISCUSS NEGOTIATING STRATEGY OR PROVIDE NEGOTIATING INSTRUCTIONS TO ITS ATTORNEY OR OTHER NEGOTIATOR AND EXECUTIVE SESSION PURSUANT TO N.D.C.C. §44-04-19.1(2) & (5) FOR ATTORNEY CONSULTATION. THE MOTION WAS SECONDED BY REPRESENTATIVE DOBERVICH.

Ayes: Mr. Grueneich, Mr. Adam Miller, Representative Dobervich, Ms. Goodhouse, Ms. Smith, Mr. Wilke, and Chairperson Rindy

Nays: None

Absent: Ms. Ness and Representative Stemen

MOTION PASSED

All members named above, Mr. Rob Gauss from Ice Miller Consultants, NDPERS staff members Scott Miller, Rebecca Fricke, Derrick Hohbein, Jan Lund, and Brittany Berreth were in attendance for the Executive Session (closed meeting, electronically recorded) which began at 3:44 P.M. The meeting returned to Open Session at 4:04 P.M.

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MR. GRUENEICH MOVED TO DIRECT SCOTT MILLER AS EXECUTIVE DIRECTOR TO NEGOTIATE A CONTRACT WITH KLAUSNER LAW FIRM AND ELSBERRY AND SHIVELY AS LOCAL COUNSEL, TO EXECUTE THE CONTRACT. THE MOTION WAS SECONDED BY MR. ADAM MILLER.

Ayes: Mr. Grueneich, Representative Dobervich, Mr. Adam Miller, Ms. Smith, Mr. Wilke, Ms. Goodhouse, and Chairperson Rindy

Nays: None

Absent: Representative Stemen and Ms. Ness

MOTION PASSED

With no further business to discuss, the meeting was adjourned at 4:07 P.M.

Prepared by:

Jan Lund
Assistant to the Board