



NC ALE
National ALE Alliance Member



Dale R. Folwell, CPA
STATE TREASURER OF NORTH CAROLINA
DALE R. FOLWELL, CPA

MINUTES NC ALE PROGRAM BOARD OF TRUSTEES

The regular quarterly meeting of the NC ALE Program Board of Trustees was called to order at 9:30 a.m., February 13, 2019, by the Chair, State Treasurer Dale R. Folwell, CPA. The meeting was held in the Dogwood Conference Room of the Longleaf Building at 3200 Atlantic Avenue, Raleigh, NC, 27604. The Chair indicated there would be a public comment period for organizations and individuals to address the Board later in the agenda.

Members Present

The board members present were: Treasurer Dale R. Folwell, CPA, Chair; Ray Grace (via telephone); Kody Kinsley (via telephone); Melinda Plue (via telephone); Marquita Robertson; and Ben Wright (via teleconference).

Members Absent

No members were absent.

Guests Present

The guests attending were: Dawn Roach and Paul Souppa from Ascensus (via telephone) and Shayna Simpson from the Department of Health and Human Services (via telephone).

Department of State Treasurer Staff Present

The staff members present were: Mary Buonfiglio, Leighann Carroll, Reid Chisholm, Chris Frazier, Patti Hall, Rekha Krishnan, Fran Lawrence, Karah Manning, Loren de Mey, Maja Moseley and Steve Toole.

Ethics Awareness and Identification of Conflicts or Potential Conflicts of Interest

The Chair noted that a copy of his most recent Statement of Economic Interest (SEI) evaluation issued by the State Board of Elections and Ethics Enforcement can be found in the meeting materials. The Chair stated that the evaluations are provided for board members' review and for recording in the meeting minutes pursuant to the requirements of the State Government Ethics Act. The Chair encouraged all members to review the evaluations to inform and remind them of the identified actual or potential conflicts of interest.

The Chair asked, pursuant to the ethics rules, about conflicts of interest of board members. No conflicts of interest were identified by the board members, except as noted below.

Ms. Robertson stated that The Collaborative, a non-profit organization where she is employed as the Executive Director, recently received a \$20,000 grant from the NC Council on Developmental Disabilities to fund a training program that is also supported by the NC ALE Program through the provision of content. Ms. Robertson noted that she will recuse herself from any current or future discussion regarding the project.

Introduction and Swearing-in

The newly appointed trustee, Marquita Robertson, took the oath of office and was welcomed by the Chair and the trustees.

Approval of Minutes

The Chair entertained a motion to approve the minutes of the November 13, 2018, NC ABLE Program Board of Trustees meeting, and Ms. Plue so moved. Mr. Wright seconded, and the motion passed unanimously.

Communication and Outreach Update

The Chair recognized Ms. Buonfiglio, who shared the communications efforts during the quarter. She described the three ways in which the Program staff engages with the public, including the partnership with the Department of Health and Human Services and cooperative development of a training unit for the Learning Management System (LMS), relationship-building with numerous associations, as well as social media campaigns. Ms. Buonfiglio highlighted the Program's key collaborators and Ms. Plue remarked that the Arc of North Carolina should be added to the slide; Ms. Buonfiglio confirmed that it will be added.

Following the presentation, board members discussed the social media campaign analytics and Ms. Buonfiglio noted that more complete data regarding the campaign benefits will be available within two months.

Administrative Update

The Chair recognized Ms. Roach and Mr. Souppa. Ms. Roach provided an overview of the quarterly administrative activities, including account and contribution information, eligibility types as well as an update on newly opened and recently closed accounts. Ms. Roach noted that a rollout of the "ABLE to Work" Program is scheduled for the later part of the month; the Program members will be able to add more funds. She also added the NC ABLE is ranked 4th in assets within the National ABLE Alliance, and the checking account option is still the most popular investment choice.

Mr. Souppa focused on the quarterly and the annual performance of investment options, noting the negative returns for equities in the past quarter. He emphasized the volatile market conditions and falling interest rates which caused more members to flock to more conservative investment options.

Report to General Legislative Oversight Committee

The Chair recognized Mr. Chisholm. Pursuant to the discussion held during the November 2018 Board meeting, Mr. Chisholm confirmed that the codification of the Program's administrative fee will not be pursued as the administrative rules are not required for the Program, based on a legal assessment performed earlier in the year.

Next, Mr. Chisholm directed the attendees' attention to the NC ABLE Program's Annual Evaluation and Report for 2018, included in the meeting materials. The report is required by state statute, and Staff recommended that the Board approve the report for submission to the Joint Legislative Oversight Committee on Health and Human Services and the Joint Legislative Oversight Committee on General Government. The Chair entertained a motion to submit the report as presented, and Mr. Grace so moved. Ms. Plue seconded and the motion passed unanimously.

Board of Trustees Comments

Mr. Wright invited all attendees to the NC ABLE account information meeting held in Stone Theaters in Wilmington on March 6, 2019. Ms. Plue noted that the Arc of North Carolina conference is scheduled for March 29, 2019 in Winston-Salem and the organization wants to host the Program's exhibit. Ms. Robertson note that The Collaborative's annual conference will take place on October 29, 2019 and the NC ABLE Program will be a focus.

Public comments

No public comments were offered.

Adjournment

There being no further business before the Board, Ms. Plue moved to adjourn, which was seconded by Mr. Wright, and the meeting was unanimously adjourned at 10:07 a.m.


Chair


Secretary



NORTH CAROLINA

State Board of Elections & Ethics Enforcement

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November 27, 2018

The Honorable Dale R. Folwell
North Carolina Department of State Treasurer
3200 Atlantic Avenue
Raleigh, NC 27604

Via Email

Re: Evaluation of Statement of Economic Interest
Supplemental Retirement Board

Dear Mr. Folwell:

Our office has received your 2017 and 2018 Statement of Economic Interest as a member of the Supplemental Retirement Board (the "Board"). We have reviewed them for actual and potential conflicts of interest pursuant to Chapter 163A of the North Carolina General Statutes ("N.C.G.S."), also known as the Elections and Ethics Enforcement Act (the "Act").

Compliance with the Act and avoidance of conflicts of interest in the performance of public duties are the responsibilities of every covered person, regardless of this letter's contents. This letter, meanwhile, is not meant to impugn the integrity of the covered person in any way. This letter is required by N.C.G.S. § 163A-193(a) and is designed to educate the covered person as to potential issues that could merit particular attention. Advice on compliance with the Act is available to certain public servants and legislative employees under N.C.G.S. § 163A-157.

We did not find an actual conflict of interest or the likelihood of a conflict of interest.

The Supplemental Retirement Board of Trustees was established through the Department of State Treasurer to coordinate and administer various supplemental retirement programs, including 457 plans, 401(k) plans and other similar investment vehicles. The Board has the authority to review contracts, agreements or arrangements pertaining to the administrative services and investment of deferred funds under the plans with service providers. Further, the Board may recommend continuation of or changes to such contracts.

The Act establishes ethical standards for certain public servants, including conflict of interest standards. N.C.G.S. § 163A-211 prohibits public servants from using their positions for their financial benefit or for the benefit of a member of their extended family or a business with which they are associated. N.C.G.S. § 163A-216 prohibits public servants from participating in certain official actions from which the public servant, his or her client(s), a member of the public servant's extended family, or a business or non-profit with which the public servant or a member of the public servant's immediate family is associated may receive a reasonably foreseeable financial benefit.

As the Treasurer for the State of North Carolina, you hold an ex-officio role on the Board.

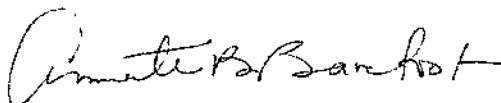
In addition to the conflicts standards noted above, N.C.G.S. § 163A-212 prohibits public servants from accepting gifts, directly or indirectly (1) from anyone in return for being influenced in the discharge of their official responsibilities, (2) from a lobbyist or lobbyist principal, or (3) from a person or entity which is doing or seeking to do business with the public servant's agency, is regulated or controlled by the public servant's agency, or has particular financial interests that may be affected by the public servant's official actions. Exceptions to the gifts restrictions are set out in N.C.G.S. § 163A-212(e).

Pursuant to N.C.G.S. § 163A-159(c), when an actual or potential conflict of interest is cited by the Board under N.C.G.S. § 163A-189(e) with regard to a public servant sitting on a board, the conflict shall be recorded in the minutes of the applicable board and duly brought to the attention of the membership by the board's chair as often as necessary to remind all members of the conflict and to help ensure compliance with the Act.

Finally, the Act mandates that all public servants attend an ethics and lobbying education presentation. N.C.G.S. § 163A-158. Please review the attached document for additional information concerning this requirement.

Please contact our office if you have any questions concerning our evaluation or the ethical standards governing public servants under the Act.

Sincerely,

A handwritten signature in black ink, appearing to read "Annette B. Barefoot".

Annette B. Barefoot, Compliance Analyst
NC Board of Elections & Ethics Enforcement

cc: Ms. Laura Rowe, Ethics Liaison

Attachment: Ethics Education Flyer