



MINUTES

BOARD OF TRUSTEES OF THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM

The regular quarterly meeting of the Board of Trustees was called to order at 9:41 a.m., January 28, 2021, 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 thanked the members of the Board for their service. The Chair indicated there would be a public comment period for organizations and individuals to address the Board later in the agenda.

Members Present in Person or via Telephone

Treasurer Dale R. Folwell, Melody Braddy (via telephone), Lentz Brewer (via telephone), Tony Brown (via telephone), Allen Buansi (via telephone), Homer Dearmin, Vernon Gammon, Kevin Gordon (via telephone), Brenda Howerton (via telephone), Kathryn Johnston (designee for Catherine Truitt, via telephone), Jeffrey Morse, and Greg Patterson (via telephone).

Members Absent

Clee Atkinson, Jr.

Guests in Attendance via Telephone

Jonathan Craven, Larry Langer, and Wendy Ludbrook of Cavanaugh Macdonald Consulting LLC.

Bill Porter, Flint Benson, Ronan Burke, Michael McCann, Paul Devenish, Anne D. DarConte, David Vanderweide, Richard Rogers, Suzanne Beasley, Lanier McRee, Sarah Collins, Laresha Fortson, and Ken Noland.

Department of State Treasurer Staff Present in Person or Via Telephone

The staff members present were: Thomas Causey, Christy Farrelly (via telephone), Joan Fontes (via telephone), Ben Garner (via telephone), Elizabeth Hawley (via telephone), Patrick Kinlaw, Fran Lawrence (via telephone), Richard Lopez, Lisa Norris, Paul Palermo (via telephone), Vicki Roberts (via telephone), Laura Rowe (via telephone), Alisia Smith (via telephone), Christina Strickland (via telephone), and Sam Watts.

Ethics Awareness and Identification of Conflicts or Potential Conflicts of Interest

The Acting Chair asked, pursuant to the ethics rules, about conflicts of interest of Board members. No conflicts of interest were identified by the Board members.

Approval of the Local Minutes from the October 29, 2020 Board Meeting and the December 9, 2020 Special Session Board Meeting

It was moved by Homer Dearmin and seconded by Brenda Howerton that the minutes from the Board meeting held on October 29, 2020 and the Special Session Board meeting held on December 9, 2020 be approved. Dale Folwell, Allen Buansi, Greg Patterson, Kathryn Johnston (designee for Catherine Truitt), Lentz Brewer, Melody Braddy, Tony Brown, and Vernon Gammon voted in support of the motion. Jeffrey Morse abstained from the vote due to his absence at the December meeting.

Consulting Actuary's Presentation of 2020 Experience Study

The Chair recognized Larry Langer, Jonathan Craven, and Wendy Ludbrook from Cavanaugh Macdonald Consulting LLC (CMC) to present the findings of the 2020 Experience Study. Mr. Langer began by stating that experience studies are done at least once every five years and are a very important part of the duties of the Boards of Trustees. Mr. Langer provided a brief review of the process for the experience study, noting that the purpose of the process is to set assumptions that are reasonable and likely to remain viable over a five-year period. Mr. Langer stated that five years ago the inflation assumption was 3%, and in the current review, CMC has recommended reducing the inflation assumption to 2.5%. CMC believes that continuing to use 3% would be aggressive and reducing it to 2.5% would keep the inflation assumption in neutral territory. Mr. Langer stated that there was no information suggesting that the assumed investment returns in excess of inflation (4% per year) should change, so as a result, the CMC recommends reducing the investment return assumption by the same amount as the inflation assumption, that is, reducing it from 7% to 6.5% per year. Mr. Langer stated that regarding the various actuarial assumptions of a demographic nature, it is very common for retirement systems to regularly review those assumptions to see if recent experience has matched up with the assumption, and to adjust them to more neutral future expectations if necessary. Further, Mr. Langer stated that CMC recommends maintaining a 12-year level-dollar amortization method for unfunded liability, noting that the relatively short period is one of the reasons North Carolina has among the best-funded retirement systems in the country.

The floor was opened for comments and questions from the Boards.

A member of the State Board stated that although CMC has projected that future employer contribution rates will decrease if the proposed assumptions are met, the experience study report still shows that the proposed assumptions will increase the employer contribution rate by 3.01% of pay for the Teachers' and State Employees' Retirement System (TSERS), compared to what they would have been under the current assumptions. Mr. Langer confirmed CMC's view the current investment

return assumption of 7% per year is borderline aggressive, and by shifting to a 6.5% assumption, the Boards would anticipate less investment returns in the future and therefore would require more contributions.

A Board member stated that he believes adopting the proposed assumptions would be a prudent action. The Board member stated that in an environment of low interest rates, it has become difficult to find yield through financial instruments to meet the expected return, and this environment has affected not only retirement systems, but also insurance companies and individuals making investments.

A Board member stated that he was hesitant to reduce the assumed rate of return, when compared to the assumptions made by privately-sponsored multi-employer retirement plans, and based on concern about how benefits will be funded when life expectancies are increasing. Mr. Langer encouraged the Boards to view the setting of assumptions, and the policies established to fund benefits under those assumptions, as two separate decisions. Mr. Langer stated that it is important that actuarial assumptions be reasonable. He discouraged the Boards from comparing North Carolina's retirement system to private or other retirement plans. Mr. Langer also noted that increasing life expectancies are built into the recommended assumptions.

The Chair noted that today's agenda included the decision on whether to accept the recommendations from the experience study. The Chair agreed that it will be important to set good policies for funding any changes in the future. The Chair stated his view that the assumed rate of return should have been regularly adjusted over the past 20 years. The Chair stated that the decision to adopt recommended assumptions is about sustaining and preserving the Retirement Systems for the next generation, especially for lower-wage public employees.

The Board member who had expressed hesitancy about reducing the assumption noted that he would feel more comfortable with an assumption between 6.5% and 7%.

A member of the State Board asked why the previous change to the assumed rate of return, from 7.2% to 7% per year in 2018, was gradually recognized in employer contribution rates over three years, and the current recommendation is for five years. Patrick Kinlaw, Director of Policy, Planning, and Compliance, recognized to respond, stated that the smoothing period is intended to give employers time to adjust to the change, and that the length of the smoothing period has corresponded with the expected length of time until the next experience study. The State Board member noted that the Boards could always revisit the assumption if there is a problem in the next five years.

Sam Watts, Public Policy Director, recognized to provide additional remarks, noted that if the recommendation is not followed, the consulting actuary may consider it necessary to state in their annual valuation reports that the assumption is a board-

selected assumption which the actuary would not have selected had the actuary been free to select it. Mr. Watts noted that such a disclosure could affect the State's financial reporting, and the credit rating of the State and local governments.

The Chair stated that funding of the Retirement Systems comes from employee contributions, employer contributions, and investment gains. The Chair stated that he does not support increasing employee contributions and there is limited control over the amount of future investment returns in the financial markets. This means that the necessary funding from making assumptions more realistic will need to come from employer contributions.

The Board member who had expressed hesitancy about reducing the assumption noted that the information provided by Mr. Watts improved his understanding of the issue.

A Board member requested information about how the proposed assumptions could affect counties and their budgets, expressing particular concern for local governments that are not as well-funded as others. The Chair stated that the funding discussion will continue during the Boards' meeting in April with a goal of making the funding policy palatable for local governments. Mr. Kinlaw, recognized to provide additional information, noted that under the projection CMC provided for today's meeting, employer contribution rates under LGERS would remain fairly level if the proposed assumptions were adopted, and if they were met.

A Board member echoed the concerns of those who previously spoke, particularly regarding rural communities that could see pressure on property taxes due to increased pension funding requirements. The Chair stated that he understands the concerns for rural communities, noting for example Tyrell County's property tax rate, comparatively small population, and trend in sales tax revenues.

A member of the State Board stated that it is imperative that while making these important decisions, the Boards keep in mind both large and small counties, and remember that beginning teachers are earning only \$35,000 per year.

A member of the State Board stated that she is grateful for the wonderful Retirement System, and that she supports both maintaining strong benefit offerings to offset the comparatively low salaries of public employees, and taking actions that would support the opportunity to provide cost-of-living retirement increases in the future. The State Board member stated her opinion that the recommended decrease in the rate of return assumption was a large one, and asked if the risk Mr. Watts had outlined earlier in the discussion meant that moving to a mid-point, or adjusting the timing of the decision, was not feasible. Mr. Watts, recognized to respond, stated that it was important for a decision to be made to keep the annual actuarial valuation process on time, so that the General Assembly and local governments can have sufficient notice for budgeting, and in order to safeguard the credit rating as this is the single most important decision that the Board makes every

five years. The State Board member asked if that means that moving to an assumption of 6.75% is not viable. The Chair responded that in his opinion, it is not viable.

The State Board member who had inquired earlier about the 3.01% contribution rate increase requested that CMC describe the risk if the recommended assumption of 6.5% is not adopted. Mr. Langer stated there are three risks that come to mind. First, it would increase the risk of being forced into reducing the rate again within the next five years. Second, the financial market conditions support that the inflation underlying the investment rate of return should be reduced by 0.5% per year, as noted also by another actuarial firm performing work for the Office of the State Auditor. Third, if assumptions are too optimistic, it only puts off addressing the problem and makes it a burden for future generations. The State Board member summarized that he understands if the recommendation is not adopted, it will only result in the State, public employers, or employees having to pay later at an even higher rate. The Chair agreed with this summary, noting that adopting the recommendation would be the smoother, more certain, approach.

Adoption of Proposed Assumptions as Set in 2020 Experience Review

Vernon Gammon made a motion to adopt the proposed assumptions as set in the 2020 Experience Review and Jeffrey Morse seconded the motion. Dale Folwell, Allen Buansi, Brenda Howerton, Greg Patterson, Homer Dearmin, Kathryn Johnston (designee for Catherine Truitt), Lentz Brewer, Melody Braddy, and Tony Brown voted in support of the motion.

Public Comments

The Chair recognized Sarah Collins of the North Carolina League of Municipalities for public comment.

Retirement System Division Administration Update

The Chair recognized Rick Lopez, Director of Operations, Vicki Roberts, Director of Member Services and Patrick Kinlaw, Director of Policy, Planning, and Compliance, for an update on the Division's operations.

The Chair recognized Director of Operations, Rick Lopez, to provide an update on Operations. Mr. Lopez began by stating that the team processed 809 retirements in December and 2,360 retirements in January, noting that over the past three months the proportion of retirement requests made using the online capability has been approximately 36%. Mr. Lopez moved on to discuss death notifications stating staff processed 1,194 death notifications in December and 1,176 in January, both higher than historical norms. Mr. Lopez discussed the implementation of a report that helps the department identify more deaths more quickly. Mr. Lopez reported that there were 254 new disability applications for December with an average 13.7-day turnaround, and 969 refund requests in December with an average 9.9-day turnaround. Mr. Lopez closed by discussing monthly payroll and Orbit Self-Service

usage, noting 1.3 million hits for retirement estimates, 321,208 hits for beneficiary updates for active employees, and 52,172 hits for direct deposit changes.

The Chair recognized Director of Member Services, Vicki Roberts, for a presentation on the metrics for Member Services. Ms. Roberts began by discussing efforts made by the Education Retirement Group noting they received over 15,000 letters for the quarter, a 150% increase from last year, and still achieved an average turn-around time of five-days . Ms. Roberts discussed Retirement education meetings, noting that year to date the team has held 73 total meetings and has reached over 5,000 members and 89 employers, with the efforts including twenty webinars a month and pre-recorded presentation available online 24/7. Ms. Roberts mentioned scheduled one-on-one counseling sessions noting there were 705 sessions last quarter, a 40% increase over the number of sessions held from the previous quarter. Ms. Roberts further noted that the team responded to over 14,000 emails which was a 149% more than last year and all of Member Services, including trainers, quality coaches, team leads and all counselors pulled together and responded to these emails within an average of 2 days. Lastly, Ms. Roberts mentioned that the call center's 4-minute average speed of answer. Ms. Roberts explained that the average call time increased due to the depth of the questions being asked and the need to fill a void for the absence of on-site HR staff at many locations during this pandemic. Ms. Roberts added that staff had studied the frequently asked questions and provided helpful information on the website and voice response system, allowing members to find answers more easily without waiting for a counselor to be available. Ms. Roberts concluded by reminding the Board about the Call Back Assist tool, explaining that if people use it when there is a wait time, the system will call them back when they are next in line or they have the option to schedule a callback at a time that is most convenient for them.

The Chair recognized Director of Policy, Planning & Compliance, Patrick Kinlaw. Mr. Kinlaw discussed overpayments collected, noting that just over \$9.5 million has been collected in the past 12 months and approximately \$37.5 million in outstanding overpayments remain to be collected. Mr. Kinlaw discussed contribution-based benefit cap (CBBC) liabilities, noting that 356 total invoices have been sent since 2015 totaling \$33.9 million, and of that amount more than \$26.8 million has been collected. Mr. Kinlaw briefly discussed the North Carolina's Comprehensive Annual Financial Report published by the Office of the State Controller and the "Actuarial Review of the 2020 Accounting Disclosures" report prepared by the actuarial firm GRS Consulting for the Office of the State Auditor. Mr. Kinlaw also noted that the materials for today's meeting include the letter received from Governor Roy Cooper, Speaker Tim Moore, and Senator Philip Berger in December 2020, and discussed at the Boards' special meeting on December 9, 2020, regarding the Public Pensions Coordinating Council's 2020 Standards Awards for Funding and Administration.

Legislative Update

The Chair recognized Sam Watts to provide an update on the legislative session. Mr. Watts noted that the Department of State Treasurer's highest legislative priority regarding the Retirement Systems and State Health Plan continues to be ensuring funding in accordance with Board of Trustees policies and actuarial recommendations. Mr. Watts noted that when retirement-related proposals are made to the legislature, the Department's goal is to promote the sustainability of the Retirement Systems. He noted that the Department expected to request a bill that would continue the process of restructuring the service purchase statutes under the State and Local systems, following on the legislation enacted in that area in 2020. Finally, Mr. Watts discussed other potential topics that may arise during the legislative session affecting local government finance.

Increase in the Amount of Reemployment Earnings Before Suspension of Retirement Allowance

The Chair recognized Thomas Causey for a presentation on increasing the amount of reemployment earnings a retiree can make before the suspension of their retirement allowance. Mr. Causey stated that according to statute, the amount increases by a defined inflationary measure each year, and it increased from \$34,340 to \$34,800 effective January 1, 2021. Mr. Causey stated that the Board could authorize staff to use the new amount in administration and communication during 2021.

Vernon Gammon made a motion to increase the amount of reemployment earnings before suspension of retirement allowance and Lentz Brewer seconded the motion. Dale Folwell, Allen Buansi, Greg Patterson, Homer Dearmin, Jeffrey Morse, Kathryn Johnston (designee for Catherine Truitt), Kevin Gordon, Melody Braddy, and Tony Brown voted in support of the motion.

Update on the Investment Advisory Committee (IAC) Meetings

The Chair recognized Greg Patterson to provide an update on the IAC meetings. Mr. Patterson noted the Advisory Committee met on November 18, 2020 and he wanted to provide a brief overview of the meeting noting the meeting minutes can be found online for further information. Mr. Patterson stated the meeting began with an update on cost efficiencies to date within the system and moved on to discuss benchmarking performed by BNY Mellon relative to public funds in excess of \$20 billion. Mr. Patterson noted that for the twelve months ended September 30, 2020, the North Carolina Retirement Systems (NCRS) ranked in the 36th percentile in returns gross of fees (with 1st percentile being the highest returns), and the comparison likely would have been even more favorable if it had considered returns net of fees, given the low fees incurred by NCRS. For the same period, NCRS ranked in the 95th percentile in risk (with 1st percentile being the highest risk). Mr. Patterson further noted that analysis presented to the IAC indicated that 40 basis points (0.4% of the portfolio) of the return for the twelve-month period was attributable to added value from active management. Mr. Patterson stated the meeting contained an extensive presentation by CEM Benchmarking noting that the five-year average return from 2015 to 2019 was 6.5% per year, as compared to

a peer average of 7.5% per year. Mr. Patterson noted that CEM found the difference was due to NCRS' conservative investment approach, and also found that the total NCRS investment cost of 32 basis points per year was the lowest in the peer group, while the peer average was 52 basis points.

Actuarially Determined Employer Contribution (ADEC) Projections

The Chair recognized Larry Langer from Cavanaugh Macdonald Consulting to present the actuarially determined employer contribution (ADEC) projections for the Local System. Mr. Craven presented charts demonstrating the effect of the assumption and method changes resulting from the experience study (including 6.5% assumed return per year in the future) and the actual return during calendar year 2020, which was estimated to be 11%. Mr. Craven stated that if all assumptions are met in 2021 and beyond, the actuarially determined employer contribution rates would stabilize or decline in the coming years, and the funded ratio would reach 100% by the end of 2030.

Presentations on the 2021 Alternatives for the Local Governmental Employees' Retirement System

The Chair recognized Patrick Kinlaw to present the recommendations to the General Assembly for the appropriate contribution rates or contribution amounts to fund the Retirement Systems effective July 1, 2021. Mr. Kinlaw noted that the recommendations are based on the findings of the actuarial valuation reports from Cavanaugh Macdonald Consulting as of December 31, 2019, that the Board accepted at its October 2020 meeting, as well as the funding policies that the Board has adopted.

Mr. Kinlaw presented the recommendation for the Local Governmental Employees' Retirement System, noting that in this case the Board is setting the employer contribution rate under its statutory authority, rather than making a recommendation to the General Assembly. Mr. Kinlaw stated that the employer contribution rate called for under the Board's funding policy (Employer Contribution Rate Stabilization Policy, or "ECRSP"), effective July 1, 2021, is 12.10% of pay for Law Enforcement Officers, and 11.35% of pay for all other employees. Mr. Kinlaw noted that the rate for Law Enforcement Officers would be less than the ADEC, and the rate for all other employees would be greater than the ADEC. He noted that that the ECRSP is a six-year policy where July 1, 2021 will mark the beginning of the sixth year. Further, Mr. Kinlaw noted that contributions made by local employers exceeded ADECs for the first four years of the policy and are expected to fall short overall for the last two years, but the expectation is that they will be neutral to favorable when compared to ADECs for the full six-year period. Mr. Kinlaw stated that local governments will see a year-over-year increase in contribution requirements totaling approximately \$84 million.

Mr. Kinlaw presented the recommendation for the Firefighters' and Rescue Squad Workers' Pension Fund, noting that the ADEC amount was approximately \$15.2 million. The funding policy that the Board adopted in 2017 (State Contribution

Stabilization Policy, or "SCRSP") calls for the Board to recommend a contribution that is at least equal to the ADEC, but also at least \$350,000 greater than the current year's appropriation. Mr. Kinlaw noted that the current year's appropriation was \$19,002,208, and therefore the Board's recommendation would be that amount plus \$350,000, or \$19,352,208, which would exceed the ADEC by more than \$4 million. Mr. Kinlaw noted that based on the investment returns experienced by the Fund, the SCRSP provided the option for the Board to recommend an increase to the benefit provided by the Fund from \$170 to \$171 per month, but the SCRSP would also call for the member contribution rate to increase from \$10 to \$15 per month if the benefit amount were increased. He stated that based on the Board's decision when a similar option was available two years ago, staff's recommendation was that the Board recommend the State contribution amount of \$19,352,208 with no change to the benefit or employee contribution rates.

Mr. Kinlaw presented the recommendation for the Registers of Deeds' Supplemental Pension Fund, noting that staff does not believe it is necessary for the Board to make a recommendation to change either the contribution rates or the benefit structures.

Mr. Kinlaw presented the recommendation for the Death Benefit Plans where the Local Board has oversight, noting that staff does not believe it is necessary for the Board to make a recommendation to change either the contribution rates or the benefit structures.

Gregg Patterson moved to approve the recommendations for the LGERS alternatives and Homer Dearman seconded the motion. Dale Folwell, Allen Buansi, Brenda Howerton, Jeffrey Morse, Kathryn Johnston (designee for Catherine Truitt), Kevin Gordon, Lentz Brewer, Melody Braddy, Tony Brown, and Vernon Gammon voted in support of the motion.

Kevin Gordon moved to approve the recommendations for the FRSWPF alternatives and Vernon Gammon seconded the motion. Dale Folwell, Allen Buansi, Brenda Howerton, Greg Patterson, Homer Dearmin, Jeffrey Morse, Kathryn Johnston (designee for Catherine Truitt), Lentz Brewer, Melody Braddy, and Tony Brown voted in support of the motion.

Court Cost Offset for Law Enforcement Officers

The Chair recognized Thomas Causey to discuss the court cost offset to employer contribution rate for law enforcement officers. Mr. Causey stated that pursuant to N.C. General Statutes § 143-166.50(d) the State Treasurer's Office is required to use certain funds derived from court costs to offset employer contribution rates paid for law enforcement officers. Mr. Causey stated that based on a review of receipts, the Court Cost Offset to the LGERS Employer Contribution rate shall remain at 0.20% of Law Enforcement Officer payroll for the fiscal year beginning July 1, 2021.

Informational Update on Board Policies

The Chair recognized Patrick Kinlaw. Mr. Kinlaw discussed two policies, the LGERS Employer Contribution Rate Stabilization Policy (ECRSP) and the Firefighters' and Rescue Squad Workers' Pension Fund State Contribution Rate Stabilization Policy (SCRSP), noting that both policies are set to expire June 30, 2022, and staff recommends that planning begin now for the period after their expiration. Mr. Kinlaw noted that staff expects to present alternatives or recommendations at the Board's meeting in April 2021.

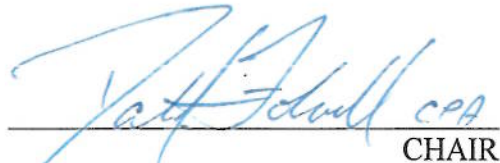
Board of Trustees Comments

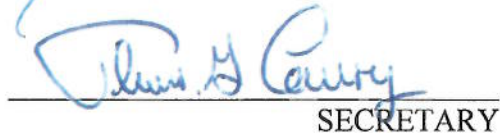
Kathryn Johnston stated this would be her last meeting and that it has been a true honor to serve over the last several years. Ms. Johnston further thanked her fellow board members for their courage in making difficult decisions and their respect for differing viewpoints, and thanked staff for their professionalism in supporting Board members. Allen Buansi reiterated concerns expressed by Board members previously in the meeting about the importance of managing the level of employer contribution rates for local governments.

The Chair thanked Ms. Johnston for her service and support. He asked those present to honor the memories of Retirement Systems members who have passed away due to COVID, including a warden and associate warden at a North Carolina correctional facility.

Adjournment

There being no further business before the Board, Vernon Gammon moved to adjourn, which was seconded by Jeffrey Morse. Dale Folwell, Allen Buansi, Homer Dearmin, Kevin Gordon, Lentz Brewer, Melody Braddy, and Tony Brown voted in support of the motion and the meeting was adjourned at 1:48 p.m.


CHAIR


SECRETARY

4-29-2021
DATE

**LOCAL GOVERNMENTAL EMPLOYEES'
RETIREMENT SYSTEM BOARD OF TRUSTEES**

January 28, 2021 Meeting

AGENDA ITEM

2a. Ethics Awareness and Identification of Conflicts or Potential Conflicts of Interest

2b. Statement of Economic Interest evaluations of members pursuant to the Ethics Act § 138A-15(c)

In the following packet are new and updated Statement of Economic Interest (SEI) evaluations issued by the State Ethics Commission. These are being provided for Board members' review and for recording in the meeting minutes pursuant to the requirements of the State Government Ethics Act. Members are encouraged to review the updated evaluations to inform and remind them of the identified actual or potential conflicts of interest.

The new and updated SEI Evaluations provided are for:

- State Treasurer Dale Folwell
- Sheriff Cleveland Atkinson
- Kevin Gordon
- Councilman Allen Buansi
- Lentz Brewer
- Thomas Causey (State Treasurer designee)



STATE ETHICS COMMISSION

POST OFFICE BOX 27685

RALEIGH, NC 27611

PHONE: 919-814-3600

REVISED LETTER

Via Email

December 14, 2020

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

**Re: Evaluation of Statement of Economic Interest
The Local Governmental Employees' Retirement System Board of Trustees**

Dear Treasurer Folwell:

Our office has received your 2020 Statement of Economic Interest as a member of the **Local Governmental Employees' Retirement System Board of Trustees (the "Board")**. We have reviewed it for actual and potential conflicts of interest pursuant to Chapter 138A of the North Carolina General Statutes ("N.C.G.S."), also known as the State Government Ethics 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. § 138A-28(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. § 138A-13.

We did not find an actual conflict of interest, but found the potential for a conflict of interest. The potential conflict identified does not prohibit service on this entity.

The Local Governmental Employees' Retirement System Board of Trustees ("LGERS") is responsible for the administration of retirement allowances and other benefits for employees of counties, cities and towns or other eligible employers participating in the System. The Board serves as trustee for LGERS funds, while the State Treasurer serves as custodian and makes investments of such funds.

The Act establishes ethical standards for certain public servants, and prohibits public servants from: (1) using their positions for their financial benefit or for the benefit of their extended family or business, N.C.G.S. § 138A-31; and (2) participating in official actions from which they or certain associated persons might receive a reasonably foreseeable financial benefit, N.C.G.S. § 138A-36(a). The Act also requires public servants to take appropriate steps to remove themselves from proceedings in which their impartiality might reasonably be questioned due to a familial, personal, or financial relationship with a participant in those proceedings. N.C.G.S. § 138A-36(c).

As the Treasurer for the State of North Carolina, you hold an ex officio role on the Board. Because you own financial interests in publicly owned companies, including Colony Capital and Republic First Bank, whose business could intersect with the Board, you have the potential for a conflict of interest. Therefore, you should exercise appropriate caution in the performance of your public duties, should issues involving Colony Capital, Republic First Bank or any other entity in which you or your spouse own a financial interest come before the Board for official action.

In addition to the conflicts standards noted above, the Act prohibits public servants from accepting gifts from (1) a lobbyist or lobbyist principal, (2) a person or entity that is seeking to do business with the public servant's agency, is regulated or controlled by that agency, or has financial interests that might be affected by their official actions, or (3) anyone in return for being influenced in the discharge of their official responsibilities. N.C.G.S. § 138A-32. Exceptions to the gifts restrictions are set out in N.C.G.S. § 138A-32(e).

When this letter cites an actual or potential conflict of interest under N.C.G.S. § 138A-24(e), the conflict must be recorded in the minutes of the applicable board and brought to the membership's attention by the board's chair as often as necessary to remind all members of the conflict and to help ensure compliance with the Act. N.C.G.S. § 138A-15(c).

Finally, the Act mandates that all public servants attend an ethics and lobbying education presentation. N.C.G.S. § 138A-14. 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 cursive script that reads "Mary Roerden".

Mary Roerden, SEI Unit
State Ethics Commission

cc: Laura Rowe, Ethics Liaison
Attachment: Ethics Education Guide



STATE ETHICS COMMISSION

POST OFFICE BOX 27685

RALEIGH, NC 27611

PHONE: 919-814-3600

Via Email

December 11, 2020

The Honorable Roy A. Cooper III
Governor of North Carolina
20301 Mail Service Center
Raleigh, North Carolina 27699-0301

**Re: Evaluation of Statement of Economic Interest Filed by Sheriff Cleveland Atkinson Jr.
The Local Governmental Employees' Retirement System Board of Trustees**

Dear Governor Cooper:

Our office has received **Sheriff Cleveland Atkinson Jr.**'s 2020 Statement of Economic Interest as a member of the **Local Governmental Employees' Retirement System Board of Trustees (the "Board")**. We have reviewed it for actual and potential conflicts of interest pursuant to Chapter 138A of the North Carolina General Statutes ("N.C.G.S."), also known as the State Government Ethics 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. § 138A-28(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. § 138A-13.

We did not find an actual conflict of interest, but found the potential for a conflict of interest. The potential conflict identified does not prohibit service on this entity.

The Local Governmental Employees' Retirement System Board of Trustees ("LGERS") is responsible for the administration of retirement allowances and other benefits for employees of counties, cities and towns or other eligible employers participating in the System. The Board serves as trustee for LGERS funds, while the State Treasurer serves as custodian and makes investments of such funds.

The Act establishes ethical standards for certain public servants, and prohibits public servants from: (1) using their positions for their financial benefit or for the benefit of their extended family or business, N.C.G.S. § 138A-31; and (2) participating in official actions from which they or certain associated persons might receive a reasonably foreseeable financial benefit, N.C.G.S. § 138A-36(a). The Act also requires public servants to take appropriate steps to remove themselves from proceedings in which their impartiality might reasonably be questioned due to a familial, personal, or financial relationship with a participant in those proceedings. N.C.G.S. § 138A-36(c).

Sheriff Atkinson fills the role of a law enforcement officer to serve on the Board. He is the Edgecombe County Sheriff. Because he could be a beneficiary of the retirement system, he has the potential for a conflict of interest. Therefore, Sheriff Atkinson should exercise appropriate caution in the performance of his public duties, should issues involving Edgecombe County, its employees or his benefits come before the Board for official action.

In addition to the conflicts standards noted above, the Act prohibits public servants from accepting gifts from (1) a lobbyist or lobbyist principal, (2) a person or entity that is seeking to do business with the public servant's agency, is regulated or controlled by that agency, or has financial interests that might be affected by their official actions, or (3) anyone in return for being influenced in the discharge of their official responsibilities. N.C.G.S. § 138A-32. Exceptions to the gifts restrictions are set out in N.C.G.S. § 138A-32(e).

When this letter cites an actual or potential conflict of interest under N.C.G.S. § 138A-24(e), the conflict must be recorded in the minutes of the applicable board and brought to the membership's attention by the board's chair as often as necessary to remind all members of the conflict and to help ensure compliance with the Act. N.C.G.S. § 138A-15(c).

Finally, the Act mandates that all public servants attend an ethics and lobbying education presentation. N.C.G.S. § 138A-14. 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 cursive script that reads "Mary Roerden".

Mary Roerden, SEI Unit
State Ethics Commission

cc: Sheriff Cleveland Atkinson Jr.
Laura Rowe, Ethics Liaison
Gregory S. McLeod, Deputy General Counsel, Office of the Governor
Scarlett Hargis, Office of the Governor

Attachment: Ethics Education Guide



STATE ETHICS COMMISSION

POST OFFICE BOX 27685

RALEIGH, NC 27611

PHONE: 919-814-3600

Via Email

December 11, 2020

The Honorable Roy A. Cooper III
Governor of North Carolina
20301 Mail Service Center
Raleigh, North Carolina 27699-0301

**Re: Evaluation of Statement of Economic Interest Filed by Mr. Kevin S. Gordon
The Local Governmental Employees' Retirement System Board of Trustees**

Dear Governor Cooper:

Our office has received **Mr. Kevin S. Gordon's** 2020 Statement of Economic Interest as a member of the **Local Governmental Employees' Retirement System Board of Trustees (the "Board")**. We have reviewed it for actual and potential conflicts of interest pursuant to Chapter 138A of the North Carolina General Statutes ("N.C.G.S."), also known as the State Government Ethics 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. § 138A-28(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. § 138A-13.

We did not find an actual conflict of interest, but found the potential for a conflict of interest. The potential conflict identified does not prohibit service on this entity.

The Local Governmental Employees' Retirement System Board of Trustees ("LGERS") is responsible for the administration of retirement allowances and other benefits for employees of counties, cities and towns or other eligible employers participating in the System. The Board serves as trustee for LGERS funds, while the State Treasurer serves as custodian and makes investments of such funds.

The Act establishes ethical standards for certain public servants, and prohibits public servants from: (1) using their positions for their financial benefit or for the benefit of their extended family or business, N.C.G.S. § 138A-31; and (2) participating in official actions from which they or certain associated persons might receive a reasonably foreseeable financial benefit, N.C.G.S. § 138A-36(a). The Act also requires public servants to take appropriate steps to remove themselves from proceedings in which their impartiality might reasonably be questioned due to a familial, personal, or financial relationship with a participant in those proceedings. N.C.G.S. § 138A-36(c).

Mr. Gordon fills the role of an active, or retired, member of the Firemen's and Rescue Squad Pension. He is the Director of the Gaston County Office of Emergency Management and Fire Services, a member of the NC Association of Fire Chiefs and serves on the Fire and Rescue Commission. Therefore, he has the potential for a conflict of interest, and should exercise appropriate caution in the performance of his public duties, should issues involving the NC Association of Fire Chiefs, his benefits, Gaston County or its employees come before the Board for official action.

In addition to the conflicts standards noted above, the Act prohibits public servants from accepting gifts from (1) a lobbyist or lobbyist principal, (2) a person or entity that is seeking to do business with the public servant's agency, is regulated or controlled by that agency, or has financial interests that might be affected by their official actions, or (3) anyone in return for being influenced in the discharge of their official responsibilities. N.C.G.S. § 138A-32. Exceptions to the gifts restrictions are set out in N.C.G.S. § 138A-32(e).

When this letter cites an actual or potential conflict of interest under N.C.G.S. § 138A-24(e), the conflict must be recorded in the minutes of the applicable board and brought to the membership's attention by the board's chair as often as necessary to remind all members of the conflict and to help ensure compliance with the Act. N.C.G.S. § 138A-15(c).

Finally, the Act mandates that all public servants attend an ethics and lobbying education presentation. N.C.G.S. § 138A-14. 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,



Mary Roerden, SEI Unit
State Ethics Commission

cc: Kevin S. Gordon
Laura Rowe, Ethics Liaison
Gregory S. McLeod, Deputy General Counsel, Office of the Governor
Scarlett Hargis, Office of the Governor

Attachment: Ethics Education Guide



STATE ETHICS COMMISSION

POST OFFICE BOX 27685

RALEIGH, NC 27611

PHONE: 919-814-3600

Via Email

December 11, 2020

The Honorable Roy A. Cooper III
Governor of North Carolina
20301 Mail Service Center
Raleigh, North Carolina 27699-0301

**Re: Evaluation of Statement of Economic Interest Filed by Mr. Allen Buansi
The Local Governmental Employees' Retirement System Board of Trustees**

Dear Governor Cooper:

Our office has received **Mr. Allen Buansi's** 2020 Statement of Economic Interest as a member of the **Local Governmental Employees' Retirement System Board of Trustees (the "Board")**. We have reviewed it for actual and potential conflicts of interest pursuant to Chapter 138A of the North Carolina General Statutes ("N.C.G.S."), also known as the State Government Ethics 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. § 138A-28(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. § 138A-13.

We did not find an actual conflict of interest, but found the potential for a conflict of interest. The potential conflict identified does not prohibit service on this entity.

The Local Governmental Employees' Retirement System Board of Trustees ("LGERS") is responsible for the administration of retirement allowances and other benefits for employees of counties, cities and towns or other eligible employers participating in the System. The Board serves as trustee for LGERS funds, while the State Treasurer serves as custodian and makes investments of such funds.

The Act establishes ethical standards for certain public servants, and prohibits public servants from: (1) using their positions for their financial benefit or for the benefit of their extended family or business, N.C.G.S. § 138A-31; and (2) participating in official actions from which they or certain associated persons might receive a reasonably foreseeable financial benefit, N.C.G.S. § 138A-36(a). The Act also requires public servants to take appropriate steps to remove themselves from proceedings in which their impartiality might reasonably be questioned due to a familial, personal, or financial relationship with a participant in those proceedings. N.C.G.S. § 138A-36(c).

Mr. Buansi fills the role of a mayor or member of a governing body participating in the retirement system. Because he serves on the Council for the Town of Chapel Hill, he has the potential for a conflict of interest. Therefore, Mr. Buansi should exercise appropriate caution in the performance of his public duties should issues involving the Town of Chapel Hill or its employees come before the Board for official action.

In addition to the conflicts standards noted above, the Act prohibits public servants from accepting gifts from (1) a lobbyist or lobbyist principal, (2) a person or entity that is seeking to do business with the public servant's agency, is regulated or controlled by that agency, or has financial interests that might be affected by their official actions, or (3) anyone in return for being influenced in the discharge of their official responsibilities. N.C.G.S. § 138A-32. Exceptions to the gifts restrictions are set out in N.C.G.S. § 138A-32(e).

When this letter cites an actual or potential conflict of interest under N.C.G.S. § 138A-24(e), the conflict must be recorded in the minutes of the applicable board and brought to the membership's attention by the board's chair as often as necessary to remind all members of the conflict and to help ensure compliance with the Act. N.C.G.S. § 138A-15(c).

Finally, the Act mandates that all public servants attend an ethics and lobbying education presentation. N.C.G.S. § 138A-14. 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,



Mary Roerden, SEI Unit
State Ethics Commission

cc: Allen Buansi
Laura Rowe, Ethics Liaison
Gregory S. McLeod, Deputy General Counsel, Office of the Governor
Scarlett Hargis, Office of the Governor

Attachment: Ethics Education Guide



STATE ETHICS COMMISSION

POST OFFICE BOX 27685

RALEIGH, NC 27611

PHONE: 919-814-3600

Via Email

December 11, 2020

Mr. Warren Lentz Brewer
5634 Oak Bluff Lane
Wilmington, North Carolina 28409

Re: Evaluation of Statement of Economic Interest

Dear Mr. Brewer:

Our office has received your 2020 Statement of Economic Interest as a member of the **Local Governmental Employees' Retirement System Board of Trustees (the "Board")**. We have reviewed it for actual and potential conflicts of interest pursuant to Chapter 138A of the North Carolina General Statutes ("N.C.G.S."), also known as the State Government Ethics 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. § 138A-28(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. § 138A-13.

We did not find an actual conflict of interest, but found the potential for a conflict of interest. The potential conflict identified does not prohibit service on this entity.

The Local Governmental Employees' Retirement System Board of Trustees ("LGERS") is responsible for the administration of retirement allowances and other benefits for employees of counties, cities and towns or other eligible employers participating in the System. The Board serves as trustee for LGERS funds, while the State Treasurer serves as custodian and makes investments of such funds.

The Act establishes ethical standards for certain public servants, and prohibits public servants from: (1) using their positions for their financial benefit or for the benefit of their extended family or business, N.C.G.S. § 138A-31; and (2) participating in official actions from which they or certain associated persons might receive a reasonably foreseeable financial benefit, N.C.G.S. § 138A-36(a). The Act also requires public servants to take appropriate steps to remove themselves from proceedings in which their impartiality might reasonably be questioned due to a familial, personal, or financial relationship with a participant in those proceedings. N.C.G.S. § 138A-36(c).

You fill the role of a member of the Board of Trustees for Teachers' and State Employees' Retirement System to serve on the Board. As an employee of a bank whose business could intersect with the Board, you have the potential for a conflict of interest. Therefore, you should exercise appropriate caution in the performance of your public duties, should issues involving South State Bank come before the Board for official action.

In addition to the conflicts standards noted above, the Act prohibits public servants from accepting gifts from (1) a lobbyist or lobbyist principal, (2) a person or entity that is seeking to do business with the public servant's agency, is regulated or controlled by that agency, or has financial interests that might be affected by their official actions, or (3) anyone in return for being influenced in the discharge of their official responsibilities. N.C.G.S. § 138A-32. Exceptions to the gifts restrictions are set out in N.C.G.S. § 138A-32(e).

When this letter cites an actual or potential conflict of interest under N.C.G.S. § 138A-24(e), the conflict must be recorded in the minutes of the applicable board and brought to the membership's attention by the board's chair as often as necessary to remind all members of the conflict and to help ensure compliance with the Act. N.C.G.S. § 138A-15(c).

Finally, the Act mandates that all public servants attend an ethics and lobbying education presentation. N.C.G.S. § 138A-14. 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 cursive script that reads "Mary Roerden".

Mary Roerden, SEI Unit
State Ethics Commission

cc: Warren Lentz Brewer
Laura Rowe, Ethics Liaison

Attachment: Ethics Education Guide



STATE ETHICS COMMISSION

POST OFFICE BOX 27685

RALEIGH, NC 27611

PHONE: 919-814-3600

Via Email

December 11, 2020

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

**Re: Evaluation of Statement of Economic Interest Filed by Mr. Thomas Causey
Local Governmental Employees' Retirement System Board of Trustees**

Dear Treasurer Folwell:

Our office has received **Mr. Thomas Causey's** 2020 Statement of Economic Interest to serve as your secondary designee on the **Local Governmental Employees' Retirement System Board of Trustees (the "Board")**. We have reviewed them for actual and potential conflicts of interest pursuant to Chapter 138A of the North Carolina General Statutes ("N.C.G.S."), also known as the State Government Ethics 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. § 138A-28(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. § 138A-13.

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

The Local Governmental Employees' Retirement System Board of Trustees ("LGERS") is responsible for the administration of retirement allowances and other benefits for employees of counties, cities and towns or other eligible employers participating in the System. The Board serves as trustee for LGERS funds, while the State Treasurer serves as custodian and makes investments of such funds.

The Act establishes ethical standards for certain public servants, and prohibits public servants from: (1) using their positions for their financial benefit or for the benefit of their extended family or business, N.C.G.S. § 138A-31; and (2) participating in official actions from which they or certain associated persons might receive a reasonably foreseeable financial benefit, N.C.G.S. § 138A-36(a). The Act also requires public servants to take appropriate steps to remove themselves from proceedings in which their impartiality might reasonably be questioned due to a familial, personal, or financial relationship with a participant in those proceedings. N.C.G.S. § 138A-36(c).

Mr. Causey serves as your secondary designee on the Board.

In addition to the conflicts standards noted above, the Act prohibits public servants from accepting gifts from (1) a lobbyist or lobbyist principal, (2) a person or entity that is seeking to do business with the public servant's agency, is regulated or controlled by that agency, or has financial interests that might be affected by their official actions, or (3) anyone in return for being influenced in the discharge of their official responsibilities. N.C.G.S. § 138A-32. Exceptions to the gifts restrictions are set out in N.C.G.S. § 138A-32(e).

When this letter cites an actual or potential conflict of interest under N.C.G.S. § 138A-24(e), the conflict must be recorded in the minutes of the applicable board and brought to the membership's attention by the board's chair as often as necessary to remind all members of the conflict and to help ensure compliance with the Act. N.C.G.S. § 138A-15(c).

Finally, the Act mandates that all public servants attend an ethics and lobbying education presentation. N.C.G.S. § 138A-14. 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 cursive script that reads "Mary Roerden".

Mary Roerden, SEI Unit
State Ethics Commission

cc: Thomas Causey
Laura Rowe, Ethics Liaison

Attachment: Ethics Education Guide