



**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 quarterly meeting of the NC ALE Program Board of Trustees was called to order at 9:30 a.m., November 7, 2024, by the Chair, State Treasurer Dale R. Folwell, CPA. The meeting was held in a hybrid format, with people attending virtually or in person 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**

Board members attending in person: Treasurer Dale R. Folwell, CPA, and Claudine Burns.

Board members attending virtually: Katherine Bosken, Chris Egan, Melinda Plue, and Marquita Robertson.

### **Members Absent**

Board members absent: None.

### **Guests Present**

Guests attending virtually: Kimberly Shockley and Paul Souppa.

### **Department of State Treasurer Staff Present**

Staff members attending in person: Shanta Bowley, Thomas Causey, Reid Chisholm, Christy Farrelly, Patti Hall, Jeff Hancock, and Kristin Merrick.

Staff members attending virtually: Elizabeth Hawley, and Laura Rowe.

The Chair called the meeting to order and reminded members that, since this meeting is being held in a hybrid format, members must announce their names when they arrive, when they depart, and when speaking. He explained that making a motion will be assumed to be a vote for the proposal unless there is an objection, and all votes will be taken by roll call. He stated that today's meeting is being recorded as part of the Department of State Treasurer's initiative to increase government transparency and he reminded members that texts (or any other recorded communications) between board members during the meeting, even on personal phones, are public records to the extent that they concern the meeting.

**Ethics Awareness and Identification of Conflicts or Potential Conflicts of Interest**

The Chair asked, pursuant to the ethics rules, about Board members' potential, actual or the appearance of a conflict of interest. No conflicts of interest were identified by the Board members.

**Introduction and Swearing-in of new NC ABLE Program Board of Trustees Member Claudine Burns**

The Chair welcomed newly appointed NC ABLE Program Board of Trustees member, Claudine Burns and Ms. Burns was sworn in.

**Evaluation of Statement of Economic Interest for new Board member,**

The Chair informed the members that the Evaluation of Statement of Economic Interest (SEI) for Ms. Burns is available in the appendix. The SEI evaluation is part of the meeting minutes.

**Reappointment by the Governor for member Marquita Robertson to the NC ABLE Program Board of Trustees**

Treasurer Folwell congratulated Ms. Robertson on her reappointment to the NC ABLE Program Board of Trustees.

**Adoption of Resolution for Appreciation of Service for Carlton "Tim" Smith, member of the NC ABLE Board of Trustees**

The Chair presented a Resolution of Appreciation for Mr. Tim Smith whose Board term recently expired and entertained a motion to adopt the Resolution. Mr. Egan so moved, and Ms. Plue seconded. The motion passed by a unanimous roll call vote of 6-0.

**Approval of Minutes**

The Chair entertained a motion to approve the minutes of the May 9, 2024, NC ABLE Program Board of Trustees meeting. Ms. Bosken so moved, and Ms. Robertson seconded. The motion passed by a roll call vote of 5-0. Ms. Burns abstained.

Treasurer Folwell thanked the NC ABLE Program Board of Trustees, members of the General Assembly and staff for all their hard work and said it was an honor to serve as the Chair.

**Administrative Update (included in Board's materials)**

The Chair recognized Mr. Jeff Hancock, Director, Supplemental Savings Programs, to present a revised budget (included the Board's materials) and to provide other administrative updates.

Mr. Hancock said the NC ABLE Program has grown to approximately 2600 accounts, with a portfolio of \$31 million.

Mr. Hancock said the budget appropriation for the 2024-2025 year is \$209,074. The NC ABLE Program administrative fee is \$5 per account, and the estimated fee revenue should be \$13,000 for the fiscal year July 1, 2024-June 31, 2025, which will bring the total expected appropriation and receipts to \$222,074. He added that projected

expenditures for 2024-2025 is \$137,600. The expenditures were decreased by approximately \$40,000 with the reduction of the allocation to the Assistant General Counsel, Supplemental Retirement Plan (SRP) and the elimination of the (SRP) Communication role and the Communication role. This will allow for an overage of approximately \$84,474.

Ms. Robertson asked how the reduction in the allocation to the legal counsel and the elimination of the communication role will affect the NC ABLE Program. Mr. Hancock said the NC ABLE Program has less of a need for legal work and there is flexibility to exceed the 5% allocation, if needed. Mr. Hancock and the Treasurer said the marketing efforts are not diminished due to the elimination of the communication roles and the SRP Operations Analyst has been devoting more time and efforts to the NC ABLE Program.

Ms. Bosken asked about continued marketing efforts since the communication roles have been reduced. Ms. Farrelly, Retirement Systems Division (RSD) Communications Manager, has increased time with the ABLE program and staff continues to do webinars and work with partners to market the program.

Mr. Hancock added there will be investment changes in the NC ABLE portfolio effective December 13, 2024. These changes are outlined in the memo that was sent to the Board in early October.

Mr. Hancock added that since the National ABLE Alliance reached 45,000 accounts in July, there will be a \$2.00 fee reduction per account beginning in the fourth quarter of 2024. He also said that in late September, Ascensus launched a new dashboard. which allows entities that serve as authorized individuals to have online access to all their accounts via a single sign-on. The entities will have the ability to enroll and make changes to all their accounts.

Ms. Bosken thanked staff for their efforts with the NC ABLE Program and for the hard work needed to achieve the fee reduction.

Ms. Robertson left the meeting at 10:00 am.

### **Communication and Marketing Update**

The Chair recognized Ms. Christy Farrelly, RSD Communications Manager, to provide an update on communication and marketing efforts for the NC ABLE Program (included the Board's materials).

Ms. Farrelly said the NC ABLE Program participated in several events. Among these are the Special Olympics and the Autism Society of North Carolina, as well as several webinars.

Ms. Farrelly said an online eligibility survey to determine eligibility for the program was launched. The results show that visitors were eligible to open an account and 16% participate in their company's 401(k) plan. The website had approximately 18,624 views, with the enrollment checklist page being the second highest viewed.

Ms. Farrelly added that at the end of the year the NC ABLE Program will launch a partnership with Krispy Kreme, and the NC ABLE Program will be offered as part of their benefits package nationwide.

### **Program Manager Administrative Update**

The Chair recognized Ms. Kimberly Shockley, Lori Lamphere, and Mr. Paul Souppa from Ascensus to provide an administrative update (included in the Board's materials).

Ms. Shockley said that Ascensus is hiring a new full-time person who will be dedicated to marketing for the NC ABLE Program and will be reaching out to entities nationwide. She added that the reduced fee started in October and the audit of the ABLE Consortium Trust was completed on September 6 for the year ending June 30, 2024, and there were no findings.

Ms. Shockley said the assets in the NC ABLE Program as of September 30, 2024, were approximately \$30,777,362, which is 40% increase year over year. In 2024 (through September 30), 75% of contributions were made electronically or by check, the highest contributing age group is 20-29 and there were 517 new accounts.

Mr. Souppa said there were strong returns for both equity and bond funds. He added that the Sallie Mae savings product within the Moderately Conservative Option and the Conservative Investment Option will be replaced with the Vanguard Cash Reserves Federal Money Market Fund.

Mr. Souppa said the Vanguard Institutional Index Fund which measures the large cap stocks and the Vanguard Extended Market Index Fund which measures small and mid-cap stocks will be replaced by the Vanguard Total Bond Market Index Fund. This will be more cost effective for the NC ABLE Program. He added that a fixed income fund will be added to the Growth and the Moderate Investment Options in December.

### **Public Comments**

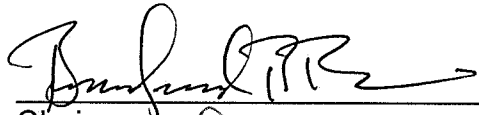
No public comments were offered.

### **Board of Trustees Comments**

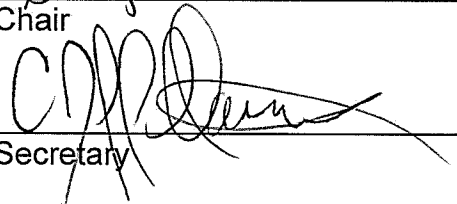
Ms. Plue, Ms. Bosken and Mr. Egan thanked the Treasurer for his contributions and service to the Board.

### Adjournment

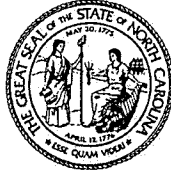
The Chair commented that with no further business before the Board, he would move to adjourn the meeting and Ms. Burns seconded. The motion passed by a unanimous roll call vote of 5-0. The meeting adjourned at approximately 10:39 a.m.

  
Chair

5/8/25  
Date

  
Secretary

5/8/25  
Date



## STATE ETHICS COMMISSION

POST OFFICE BOX 27685

RALEIGH, NC 27611

PHONE: 919-814-3600

### Via Email

July 22, 2024

The Honorable Phil Berger  
President Pro Tempore of the Senate  
16 West Jones Street, Room 2008  
Raleigh, North Carolina 27601

**Re: Evaluation of Statement of Economic Interest Filed by Ms. Claudine M. Burns**  
Achieving a Better Life Experience (ABLE) Board of Trustees

Dear Senator Berger:

Our office is in receipt of **Ms. Claudine M Burns'** 2024 Statement of Economic Interest as an appointee to the Achieving a Better Life Experience (ABLE) 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 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. The letter is not meant to impugn the integrity of the covered person in any way. 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 of a conflict of interest.**

The Achieving a Better Life Experience (ABLE) Board of Trustees was established to implement a private savings account program (ABLE accounts) for the purpose of supporting individuals with disabilities. The Board is authorized to contract for investment advice, retain professionals, develop a marketing plan, establish methods for dispersing funds, and set administrative costs for the program, as well as develop and implement investment strategies.

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).

Ms. Burns fills the role of a member with experience in advocacy for the disabled.

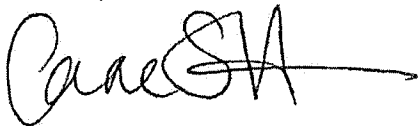
In addition to the conflicts standards noted above, the Act prohibits public servants from accepting gifts, directly or indirectly (1) from anyone in return for being influenced in the discharge of their official responsibilities, (2) from a lobbyist or lobbyist principal, or (3) from a person or entity 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. §138A-32(e).

When this letter cites an actual or potential conflict of interest under N.C.G.S. 138A-24(e), 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. (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.

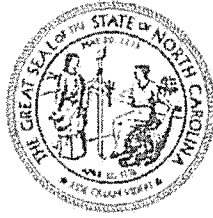
Sincerely,

A handwritten signature in black ink, appearing to read "Jane Steffens", with a long horizontal flourish extending to the right.

Jane Steffens, SEI Unit  
State Ethics Commission

cc: Claudine M. Burns  
Elizabeth Hawley, Ethics Liaison

Attachment: Ethics Education Guide



STATE OF NORTH CAROLINA  
OFFICE OF THE GOVERNOR

ROY COOPER  
GOVERNOR

July 1, 2024

Ms. Marquita P. Robertson  
[REDACTED]  
[REDACTED]

Dear Marquita:

I am pleased to reappoint you to serve as a member of the Achieving a Better Life Experience Board of Trustees. Pursuant to N.C. Gen. Stat. § 147-86.72, your reappointment is effective immediately. Your term will expire on June 30, 2027.

Your board or commission is covered by the State Ethics Act. As a result, please remember that you must participate in ethics training every two years, and you are required to file a Statement of Economic Interest by April 15 of each year.

Thank you for continuing to serve the people of North Carolina. I am grateful that you are willing to give your time and talents to move North Carolina forward.

Please read the enclosed instructions carefully so that we may complete the reappointment process. If you have any questions, contact the Office of Boards and Commissions at (919) 610-9080.

With kind regards, I am

Very truly yours,

A handwritten signature in black ink that reads "Roy Cooper".

Roy Cooper

cc: The Honorable Dale R. Folwell