

STATE BOARD OF EXAMINERS
MINUTES – Subcommittee Meeting
February 13, 2018 – 1:30 p.m.
Joe R. Williams Building, 5th Floor Conference Room A

The regular meeting of the Subcommittee to the State Board of Examiners was called to order at 700 West State Street, Boise, Idaho, at 1:32p.m. pursuant to Idaho Code §67-2002 and by order of the chair.

The following members were present: Chairman Jani Revier, Division of Financial Management; Tim Hurst, Office of the Secretary of State; Sherman Furey III, Office of the Attorney General; and Brian Benjamin, Office of the State Controller, as assisting secretary to the subcommittee.

Also present were David Fulkerson, Division of Financial Management and Jackie McCleve State Controller's Office.

CONSENT AGENDA

1. Minutes

Approval of official minutes for the meeting of the Subcommittee to the Board of Examiners on January 9, 2018 and January 31, 2018.

Discussion:

Mr. Hurst notated that there was a minor correction to the January 9, 2018 subcommittee meeting minutes. That under agenda item 1, it should read that the minutes “were approved” not that they were placed on the consent agenda.

Resolution: *Mr. Hurst moved to approve the minutes from January 9, 2018 and January 31, 2018 subcommittee meetings. Mr. Furey seconded the motion. The motion carried on a unanimous voice vote.*

REGULAR AGENDA

2. Lava Hot Springs Foundation

Request pursuant to Idaho Code §67-4402 to approve the lease from Lava Hot Springs Foundation (Lessor) to Lava Lockers, LLC (Lessee).

Resolution: *Mr. Hurst moved to place item 2 on the consent agenda. Mr. Furey seconded the motion. The motion carried on a unanimous voice vote.*

3. Ada County Sheriff's Office

Request for payment pursuant to Idaho Code, 31-2219, in the amount of \$4,448.64 for costs incurred by Ada County for the transportation of prisoners sentenced to ISCI and transported to the Ada County jail for October 2017 through December 2017.

Discussion:

Mr. Hurst stated that there is no reason to include a copy of the list of prisoners in the binders provided to the Board.

Resolution: Mr. Hurst moved to place item 3 on the consent agenda. Mr. Furey seconded the motion. The motion carried on a unanimous voice vote.

4. Office of the State Controller

Request for approval of amendments to the Board of Examiners State Moving Policy and Procedures and the State Real Estate Relocation Policy and Procedures.

Discussion:

Mr. Benjamin reviewed the major changes to the State Moving Policy and Procedures and Real Estate Relocation Policy. The major changes included removing all references to qualified vs. non-qualified moving expenses. The new tax law makes all moving expenses now taxable. All reimbursements to the employee, must be processed through payroll. The only additional change is under the section titled "Sample Agreement" where a provision was added, that states this policy is not to be construed as an employment contract. Under the Real Estate Relocation policy "Option 1- Relocation Company Services" listed under the section titled "Three Agreement Options", has been removed. Now there will only be two reimbursement options.

Resolution: Mr. Hurst moved to place item 4 on the consent agenda. Mr. Furey seconded the motion. The motion carried on a unanimous voice vote.

INFORMATIONAL AGENDA

5. Office of the Attorney General

- a) Notification that Randal L Gainer of the firm of Baker & Hostetler LLP in Seattle, Washington, has been appointed pursuant to Idaho Code §67-1409 as a Special Deputy Attorney General for the purpose of representing the State of Idaho, Idaho Transportation Department in the matters concerning the Department in responding to a potential data security incident involving the potential compromise of an Office 365 email account.
- b) Notification that Paul W. Madden of the firm of Whiteford, Taylor & Preston, has been appointed pursuant to Idaho Code §67-1409 as a Special Deputy Attorney General for the purpose of representing the State of Idaho, Department of Labor, in developing an amendment to bring the Department's retirement plan into compliance with the Internal Revenue Code.
- c) Notification that Elizabeth A Boepple, Esq of the firm of BCM Environmental & Land Law, LLC in Portland Maine, has been appointed pursuant to Idaho Code §67-1409 as a Special Deputy Attorney General for the purpose of representing the State of Idaho, Department of Environmental Quality, in the filing of an amicus curiae brief in the case of Maine v. McCarthy, Case No. 14-cv-264 (D.Me.).
- d) Notification that Bryan A Nickels of the firm of Duke, Scanlan & Hall, PLLC, has been appointed pursuant to Idaho Code §67-1409 as a Special Deputy Attorney General for the purpose of representing Sara Thomas and Bill Wellman in Case No CV-OC-151240 Tucker, et al v. State, et al.

6. State Insurance Fund

- a. Estimate of the State Insurance Fund expenses to be paid by sight drafts for the month of January 2018.

Estimated expenditure for workers compensation claim costs, dividends and premium refunds	\$34,000,000.00
Funds Expended in December 2017:	
Workers Compensation Claim Costs	\$15,170,016.39
Dividends	0
Commission	0
<u>Policy Refunds</u>	<u>\$13,781,934.46</u>
Total	\$28,951,950.85

- b. Estimate of the Idaho Petroleum Clean Water Trust Fund expenses to be paid by sight drafts for the month of January 2018.

Estimated expenditure for Idaho Petroleum Clean Water Trust Fund	\$600,000.00
Funds Expended in December 2017:	
Payroll	\$90,768.42
Operations	\$35,331.51
<u>Claim Costs</u>	<u>\$97,173.93</u>
Total	\$223,273.86

Mr. Furey moved to adjourn the meeting. Mr. Hurst seconded the motion. The meeting adjourned at 1:46 p.m.