

THE BOARD OF TRUSTEES OF THE NEVADA EMPLOYEE SAVINGS
TRUST

MINUTES OF THE BOARD MEETING

April 7, 2025

Location:

Via videoconference at the following locations and on Teams

Old Assembly Chambers
Capitol Building, Second Floor
101 N. Carson Street
Carson City, NV 89701

Governor's Office Conference Room
1 Harrah's Court, 4th Floor
Las Vegas, NV 89119

Board Members Present:

Chairman Treasurer Zach Conine – Las Vegas
Lt. Governor Stavros Anthony – Carson City
Joe Caldera – Las Vegas
Andy Kao – Las Vegas
William H. Palmer III – Carson City
Mary Beth Sewald – Remote via Microsoft Teams

Others Present:

Greg Cloward - Deputy Attorney General, Nevada Attorney General's Office
Lesley Mohlenkamp – Deputy of Financial Literacy and Security
Hunter Railey - Colorado Secure Savings Program
Courtney Eccles - Vestwell
Kirsten Van Ry – Chief of Staff, State Treasurer's Office
Erik Jimenez – Chief of Policy, State Treasurer's Office
Andrea Feirstein – AKF Consulting
Veronica Kilgore - State Treasurer's Office
Evelyn Castro – State Treasurer's Office
Nicole Stephens – State Treasurer's Office
Michael Pelham – State Treasurer's Office

Treasurer Conine

Yes, that's good morning, everyone.

Or afternoon.

Sorry, it feels like the morning simply because of how long I expect anyone to public finances. Morning has been.

But we are happy to be here today for the meeting of the Board of trustees of the Nevada Employee Savings Trust.

If we could please first Ms. Mohlenkamp call roll.

Deputy Mohlenkamp

Treasurer Conine

Treasure Conine

Here.

Deputy Mohlenkamp

Lieutenant governor Anthony.

Lt. Governor Anthony

Here.

Deputy Mohlenkamp

Member Caldera did inform us that he will be joining a little later if possible.

Member Kao.

Member Kao

Here.

Deputy Mohlenkamp

Member Palmer also informed us that he is unable to join us today.

Member Sewald.

Member Sewald

Here.

Deputy Mohlenkamp

Treasurer. You have a quorum.

Treasurer Conine

Excellent. I will call those roll call and move on to public comment.

Comments from the public are invited at this time. There is no one else here in Las Vegas. Lieutenant Governor is there anyone would like to comment?
From the public in Carson City.

Lt. Governor Anthony

Yes, there's one person here that would like to do public comment.

Treasurer Conine

Perfect. Please go right ahead.

Karen Ferrari

Hi, my name is Karen Ferrari and we have a business in Wellington, Nevada, Nevada Trading Company, which we've had since nineteen ninety three.

I want to first say how much I appreciate Michael Pelham, who I have spoken with previously, and he's addressed many of my concerns and in reading through some of the minutes from some of your previous meetings, I appreciate the fact of the diligence you've taken in protecting the security and the convenience for the employees who will be participating in the program.

My perspective, of course, is that of an employer and I was made aware of this through our paycheck company, which is based in New York, ironically, but they were trying to get us to sign up to have them do the payroll in or the employees who wanted to invest in the 401K.

When I read through some of the generics on this it said that the expense would be minimal for employers. However, this company is quoting us anywhere from a hundred and eighty-five dollars a month to three hundred and sixty dollars a month to do that paperwork. We have eleven employees, six of whom are seniors working

part time and obviously would not be opting in and possibly three that are interested. When I calculate that it would cost us an average of probably three thousand a year for possibly three employees, which I don't consider minimal. I consider that a huge expense.

So my concern is that you would look into if we were to do it in house, we use the paychecks company to do like we submit our payroll data to them, and they do all the figuring and submit all the reports and taxes and everything. Is there a way that we would be able to do 401K enrollment?

I would ask that you would please consider how that would look from an employer 's perspective if the money could be taken out before the paycheck or if Vestwell I believe is the company that's dealing with the Colorado trust would be able to access the employees checking account and that they would do it and they would take care of the paperwork, but somehow that this would be addressed and that we would be made aware of it.

The payroll company keeps pressuring me that we need to make a decision since this is supposed to go into effect July first. So I kind of feel under the gun here and without a lot of answers.

So that's my main concern is how that would look from our point of view and if there's a way that we can manage that, because it would certainly be manageable. If it's only two or three employees, there's not a big deal, it's just a matter of how we would facilitate that.

Also with new hires I would like clarification. Do they have to be informed at the point of their hire or after the one hundred and twenty days that they would be in our employment? And how long of a period do people have to opt out before they would be charged the five percent out of their payroll.

So if they have like a two week period or three-week period, whatever that would be, these are just all concerns that have arisen to me.

If people can choose to have only one deduction a month, or if it has to be because we're a two-month bimonthly pay period. So, if it would have to come out of both checks, or just one if no one opts in, do they have to opt out each?

And would we have to carry data every year.

And would Vestwell send statements to the employees if they're the ones overseeing this whole thing. But my main concern basically is if the money comes directly out of their checking account or how we deduct it pre payroll and

I thank you for listening to my concerns.

And as I said, it's a different perspective. But you know it is something that we need to deal with. And so, I would like to be informed before we have to make decisions on it.

Thank you.

Treasurer Conine

I appreciate it.

And if you'd like, ma'am, we can have a staff member follow up with you.

We can't, unfortunately go back and forth during public comment, but I do appreciate you mentioning those.

Michael will grab you in just one moment.

Anyone else like to make public comment up in Carson City Lieutenant governor?

Lt. Governor Anthony

No, no one else is here, Mr. Chairman.

Treasurer Conine

All right.

Thanks Sir.

And do we have anyone online who would like to make public comment?

Hearing none. We'll close our first period for public comment and move on to Agenda number three for discussion and possible Action board review and approval of the Minutes of the board from the meeting on February twenty sixth twenty twenty-five.

Do we have any adjustments to the Minutes? Otherwise, I'll take a motion to approve.

Mary Beth Sewald

Motion to approve.

Treasurer Conine

All right.

Any discussion on the motion?

Hearing none, all in favor.

Aye.

Mary Beth Sewald

Aye.

Member Kao

Aye.

Lt. Governor Anthony

Aye.

Treasurer Conine

All right.

Motion passes unanimously of the members present.

Thank you.

We'll move on to agenda number four for discussion staff provide an update overview of the Nevada Employee Savings Trust covering program, branding, communications plan and outreach timeline.

Please proceed.

Michael Pelham

Thank you, Treasurer Conine Michael Pelham for the record.

So I know everybody 's a little bit anxious to see the branding and logo for nest.

So we're going to save that, that reveal to the end.

So I'm going to start with the outreach timeline and the communications plan.

So we're going to kind of look at those a little bit together.

And you know, it's easier to see the bigger picture when we're looking at both of these together so to start with.

I know that you guys have been fielding some questions from businesses.

As our public comment stated, you know we've been fielding phone calls as well.

So please, I just want to remind the board members feel free to send all questions

and concerns to the nest staff and we'll make sure that those are taken care of and addressed. After today's meeting, we're going to start outreach with associations and business groups. The outreach is really going to focus on how NEST works and who the mandate applies to.

This is all going to be an educational stage for us as, we know a lot of businesses know this is out there already but don't know much about it.

So we believe that we're going to capture the most eyes by this outreach method. You know, simply by going where business is located, we can reach more business owners and employers that way.

So along with the outreach, and again that's once we launch the outreach is probably going to change a little bit, but we're still going to be reaching out to employers and letting them know that, you know NEST is here what the program is about and how. They get their employees enrolled.

So, moving over to the communication strategy currently, Vestwell is building our website and that is nest.nv.gov.

Courtney Eccles, from Vestwell, she went over a little bit of these communications last meeting, so starting in June, employers will receive an e-mail with their access code, and they'll log into the Vestwell system, and they will upload their employee rosters. The employees will be automatically enrolled and then the employee will receive an e-mail from Vestwell letting them know that they've been enrolled, letting them know that if they want to opt out of the program there's a thirty day window where no payroll, or no wage contributions are taken.

So yeah, the employee, the saver will be able to opt out without making any contributions, and they can also withdraw their contributions at any time without penalty.

I want to take a just a moment to pause and see if anybody has any questions on outreach timeline or employer employee communications.

Mary Beth Sewald

Mr. Chairman, I'm sorry.

Treasurer Conine

Thanks. Please go ahead, Mary Beth.

Mary Beth Sewald

Sorry about that.

Thank you, Mr. Chairman.

Thank you for that presentation.

I appreciate that.

So in June there will be an e-mail. If I heard you correctly with the to the employers with the access code, well there also ahead of that be any other sort of social media or earned media or even paid media for that matter. As a general rule, at the Vegas Chamber we're also trying to educate our members and Treasurer Conine was part of our visit to Carson City a week or two ago and a lot of people in the room did not know or, they were not aware. So, we had a good audience of people who needed to be educated. It was an indicator to me that a lot of people still really have no idea that this is even coming.

Michael Pelham

Yes. We're kind of juggling this balance of, we know the direction of where we're going to go, where we're going to end up.

We just don't want things to be to become factually incorrect which is why this process is going a bit slow.

Yes, we do intend on having TV and media blitz at some point to get the information out there and we are exploring social media outreach.

Mary Beth Sewald

May I ask a follow up question, Mr. Chair?

Treasurer Conine

Of course.

Mary Beth Sewald

Thank you.

Would there by any chance Mr. Pelham be sort of timeline, or do you already have one where you know by this date this messaging will go out and so on.

Michael Pelham

Thank you for the question. We have a tentative timeline on when those communications will happen. Obviously we're going to use the entire month of June to register employers. So that payroll deductions can begin on July first.

So the answer is yes.

Mary Beth Sewald

OK.

Thank you.

Deputy Mohlenkamp

I'd like to add that right now we we're in the framing portion of this.

So we have a layout of general time frames. Again to Michael 's point, starting off with general information as we get a little closer, we increase the level of communication we're revealing, which also includes, general outreach, like the social media and the marketing we do have essentially a layout a time frame, timetable, a very broad timetable that we put together and we can get that posted online by the end of this week.

I think it'll be very helpful for everybody to understand the layout on that.

Mary Beth Sewald

Thank you, Mr. Chair.

I have one more question.

Treasurer Conine

Yes.

Please go ahead.

Mary Beth Sewald

Would it be possible to get a copy of those talking points so that when I as representing the Chamber and the business community for Nevada, I am in line with what you all are messaging so that we say exactly the right things.

Deputy Mohlenkamp

Absolutely. In fact, we plan on giving the board a little bundle of a little toolbox, if

you will, that will help with any outreach that you have.
It'll also be used internally for any outreach we have so.
By all means. And that that should be coming in the coming weeks as well.

Mary Beth Sewald

Perfect. Thank you.

Treasurer Conine

Thank you, members.

Any additional questions from Members at this stage? Otherwise, Michael, please proceed.

All right, go ahead.

Michael Pelham

Now we're going to move on to our nest branding and logo.

Nicole, could you please pop that on the screen?

So our local subcommittee worked with the good people at the Estipona group to come up with a logo and branding materials.

Estipona gave us some great options to start with, and after a few minor tweaks I'm happy to show you the logo committee decided on this right here in front of you.

And this is actually complete with the mountain Bluebird, which is the state bird of Nevada and it is depicted as having built a nest. Then you can see that the stylized nest writing is reminiscent of twigs as what is used to build the nest. We feel this demonstrates that Nevadans can use the nest brand, and they can start building towards their future and earning for their retirement. Having said that.

Mr. Chairman, thank you very much and I'm happy to answer any questions.

Treasurer Conine

Any questions from board members on the logo? We don't always get as lucky as having an acronym for a program that is in itself a word that also has something do the program itself.

As I was telling the Chamber the other day, I think we just kind of got lucky here on the Venn diagram front.

OK. With that, we will, Michael, if you're done, we will close agenda item number four.

And move on to agenda item number five, board review and approval of the Partnership for Dignified Retirement documents, including the Master Services Agreement, the vendor addendum, the Interstate adherence agreement and Memorandum of Cooperation, Excuse me. And then the goal here is to get an approval of that and direction to our staff to finalize the contract documents with the partnership for dignified retirement and Vestwell State Savings. And I'll turn it over to Lesley Mohlenkamp.

Deputy Mohlenkamp

Leslie Mohlenkamp, deputy treasurer of the Financial Literacy and Security Division. I'm here today to provide an overview of the agreement, documents that are required for the Nevada Employee Savings Trust Program to join the partnership for a dignified retirement, which we're going to refer to as the PDR, keep it short. You can find all the related documents on pages thirty through ninety-nine takes up the bulk of the packet there of the PDF version of your meeting packet.

Before I begin my overview, I did want to mention that we have Courtney Eccles from Vestwell here today and we also have Hunter Riley from the PDR. Should we have any tricky or detailed questions about how these documents work together. We also have Chief Deputy Attorney General OTT to provide information about the legal review if needed.

So to recap, at the December seventeenth Nest Board of trustees meeting, the board approved pursuing an Interstate agreement with a partnership for a dignified retirement, which has Colorado serving as the lead state and Maine, Delaware, and Vermont as partner states.

Over the last three months, staff, along with the Nevada Attorney General 's office, have worked with Colorado and the partnerships program administrator Vestwell as well as legal teams on both sides to finalize agreement documents that are here before you today for ratification.

I would like to thank the Nevada Attorney General 's office, AKF Consulting and all the parties for their diligence in this process to make sure that we finalize solid agreement documents.

So first on the list today is the Master Service agreement and then right behind that is the partner addendum for Vestwell.

This starts on page thirty of the meeting packet PDF. You may recognize the master

agreement because it was originally included as an attachment in the Colorado request for information response that we received back in November.

So this is the second time you are seeing the master Agreement document.

And as you may recall, by joining the PDR, the NEST program does not need to establish its own master service agreement, because it's already established with the partnership, but what we do need is and what we have provided here today for reference is the Master Service agreement, because it does guide the relationship and services between the PDR and Vestwell.

It's an important document to have a reference also. So, the Master Service Agreement does it goes hand in hand with the required partner addendum.

And that is what's required. It's also referred to as a partner state agreement and you will see this on page seventy four of your PDF packet.

This addendum outlines additional terms that are specific to the partner state, in addition to any terms that are called out in the MSA.

The next two documents that you're going to see on the list and that are right behind that. The two remaining documents are related to the PDR partnership itself.

So you'll see on page seventy-nine of your PDF packet that you'll see an Interstate Adherence Agreement and that is between the partnership and Nevada.

And again, you might recognize this document as well, because it was also provided originally in the RFI from Colorado.

This particular document outlines the framework, the structure, processes and responsibilities and also some other terms for partners processes and the lead state, which is currently Colorado.

So it outlines all of the structure related to the partnership.

This document, along with the Vestwell addendum document, is required to be ratified by the board to officially enter into the partnership.

And so the final document you're going to see here. Lastly, you will see on page ninety-seven of your PDF document a Memorandum of cooperation that has been established detailing the PDRs commitment to a few technical adjustments for the Interstate adherence agreement, as well as to coordinate and finalize a partnership termination process and related provisions to any kind of termination process. So, all of that will commence upon ratification of these documents by the board.

That completes my overview of the documents and at this time we are happy to answer any questions you may have.

Treasurer Conine

Member Kao

Member Kao

I have a question on the technical amendments for this.

I think in the whole packet, the second to last page. Bullet point one where it says in section 4.2A of the IAA.

Skipping to the very end where we're modifying it to say who employed one or more employee's minimum. I thought our requirement was five or more employees.

So how does this modification jive with our requirements?

Deputy Mohlenkamp

I apologize. I don't have the form right in front of me.

I don't have the form right in front of me.

Treasurer Conine

It's page eight of the interstate adherence agreement. Is that what you're looking at?

Member Kao

I think it's the last page of the whole packet, right before the signature page.

Lesley Mohlenkamp

Yes. And if it essentially all of these technical adjustments right here are really to work in line with the statutes that we have in Nevada, so any adjustment in that technical area should line up with that.

But the state of Nevada statutes are, and so because each of the different partner states have different thresholds, the language was proposed to be general so that we could.

Not be in basically to align with our own statute, to not be in conflict with the statute.

Member Kao

Yes, I might be wrong, but I thought our statute said five or more employees as a requirement.

This line modifies it. If I'm reading it correctly, and that may not be to one or more employees.

Treasurer Conine

Greg? Mr. Ott, sorry.

Greg D. Ott

No, need to apologize, treasurer. I'm trying to find the language in the section but go ahead.

Treasurer Conine

It's on the second page. It's on page one hundred of the PDF technical adjustments first one.

Greg D. Ott

OK.

Treasurer Conine

And so the twenty-four to thirty-six I think makes sense to us.

Yes, but Member Kao, and myself have a question on the employ one or more employees at minimum versus five or more employees.

Of course, I guess I'm not seeing it in the framework of the IAA itself, right?

It's a technical adjustment. So I'm curious if it just gives us the ability to do something, which of course we would then be constrained by statute as to who were required.

Because employers with less than one less than five employees can use this, just like an independent contractor could.

And so I'm wondering if perhaps that language is about giving an employee or the flexibility to do it as opposed to creating a requirement that they would.

Sorry, Greg.

Didn't mean to lawyer into you there go right ahead.

Greg D. Ott

I appreciate your lawyering.

Do you know the do we know the statute that's got the five or more in it?

I don't see it.

And that's the other thing I was going to try to compare.

So yeah, just trying to look, look at the documents. It's going to take a minute.

Deputy Mohlenkamp

And if I can just interject in the meantime, just to kind of explain that it, it really has to do with the fact that it opens so there's no capping it. Basically, one or more employees won't constrict our state from participating. If that makes sense.

It was to adjust for the partnership itself to allow different states with different thresholds, and that definitely was the intention behind that particular adjustment.

Treasurer Conine

So, on page eight of the Interstate adherence agreement, which is what this modifies, which Member Kao printed out and in that I am deeply appreciative.

Says required employers at a minimum include all states, private employers who have been in business for at least twenty-four months. Changing twenty-four to thirty-six. It doesn't seem to be any concern with that piece. Who do not offer a qualified retirement plan. Who employ five or more employees that's the language that's in the document now.

This would change it to private employers who have been in business for six months, who do not offer qualified, qualified plan and who employ one or more employees at a minimum.

If it sounded like there was more to that sentence, there wasn't.

It seems like this would put us because it is the definition of required employers' mandatory participation by required employers from each state must be mandated by that state law, great.

Mandate must include automatic enrollment, great.

With the option to apply also, we're fine there.

Required employers, at a minimum mean, and I guess that's.

If required, employers at a minimum include all the states who employ and then who employ one or more employees at a minimum, sort of at a minimum, 's. From a construction perspective or a little, not so sure about that, Mr. Ott.

Greg D. Ott

No, I appreciate you the at minimums are confusing.

Treasurer Conine

Because the sentence would, I mean the changed sentence right would be required employers at a minimum include all of the state 's private employers who have been in business for at least thirty six months, who do not offer a qualified retirement plan, and who employ one or employees at a minimum.

Which I think would take that to any employer in the state as a required employer, which is not the intent of the statute.

And then frankly, I don't think the language of the statute.

But to Mr. Ott 's point, have we, Michael, the remind us the NRS for the program?

Michael Pelham

That's NRS 353D.070., one employs more than five persons in this state.

Treasurer Conine

So I think to member Kao's point might require us to make a technical adjustment to the technical adjustment.

Deputy Mohlenkamp

I think what we could do is to propose that we adjust that to six. Again, I think we will probably need to coordinate with the PDR. We do have a Hunter Riley from the PDR on the line if there's any further explanation needed on that part.

Treasurer Conine

Yeah, I think before we do that, hunter, if you could hold off, please.

The technical adjustments, those are our technical adjustments, or they came from someone else.

Deputy Mohlenkamp

They were coordinated with between both the state of Colorado, who is the lead state of the partnership, as well as the Nevada side.

Treasurer Conine

OK, so I think we've got to square that circle, which I don't necessarily think we need to do online, but I can assure you Member Kao, that circle will get squared prior to signing those agreements.

Thank you.

Never hurts to have more eyes, certainly not.

Especially eyes as good as yours.

So thank you.

Well sort that out, any questions from members?

OK.

So if we don't have additional questions for members, my preference here would be make motion to accept these documents, making any final changes that need to be made specifically inclusive of Member Kao's check and then probably one more run through the document, just making sure that we didn't unintentionally put ourselves into a. Yeah, mm.

Or, if nothing else, the sentence that begins and ends with at a minimum.

Just from drafting perspective, that'll drive me nuts. Member Kao would you like to make the motion?

Member Kao

Motion to approve the agreement pending the one or more checks and adjustments to the IAA technical adjustments.

Thank you.

Any discussion on the motion?

All in favor say Aye.

Mary Beth Sewald

Aye.

Member Kao

Aye.

Lt. Governor Anthony

Aye.

Treasurer Conine

Any opposed?

All right. Motion passes unanimously.

Thank you all for your diligence on that process.

And with that, we'll move back, close that item.

Move on to our last item, which is public comment, second period for public comment comes from public are invited at this time.

Any new members of the public in Carson City?

Mr. Lieutenant governor.

Lt. Governor Anthony

No public comment here.

Treasurer Conine

All right.

And there's no public comment in Las Vegas. Is there any additional public comment online?

Hearing none, we'll close our second period for public comment and move into adjournment.

We are adjourned.

Thank you everyone.

Have a great day.

□ **Nicole Stephens** stopped transcription