Date: 9 December 2012

To: Nevada Deferred Compensation Committee

From: Kent Ervin (active participant)

Subject: Closed meeting minutes (Public comment for agenda item 3, 12/13/2012 NDC meeting)

The NDC Program's redaction of the closed meetings of 6/21/2012 and 7/12/2012 is excessive and it subverts the Nevada Open Meetings Law. During the recent provider RFP process, Committee members repeatedly assured participants that the reasons for their decisions would be made public at the end of the process. The Committee should release the full, unredacted minutes of the closed meetings so participants can evaluate the Committee's decisions for themselves. The provider contracts have now been officially awarded, so there is no reason to keep the RFP process or proposals confidential.

The draft closed meeting minutes, especially of the 6/21/2012 meeting, are far too liberally redacted even for the dubious purpose of keeping details of the bids confidential. One of many egregious examples is the excerpt below (p. 8):

SCOTT SISCO: This is the one question that I used a different methodology on. [redacted]

It is impossible from this for anyone to judge what different methodology was used by Mr. Sisco. The question that was being discussed has also been redacted, even though the set of scoring categories and Committee member's scores are already public information. The excessive redaction suggests that the goal is to hide the reasoning and justifications given by Committee members, rather than to preserve confidentiality of proposal details that were not already made public in the finalist interviews.

From what I can infer from the public deliberations, the actions of the Committee have resulted in higher administrative expenses and a lower crediting rate for participants for the next two years than would have been available through the RFP bids. It is possible that your release of the full minutes, bid proposals, and the consultant's analyses would prove that inference wrong.

For full transparency, I urge the Committee to release the full minutes, audio recordings, and all other records relating to the recent provider RFP. This action would be in the best interests of participants that you are required to uphold.

Thank you for the opportunity to comment.