

**REGULAR STATE BANKING BOARD MEETING  
OFFICE OF THE COMMISSIONER  
DEPARTMENT OF FINANCIAL INSTITUTIONS  
1200 MEMORIAL HIGHWAY  
BISMARCK, NORTH DAKOTA**

**November 18, 2021**

The regular meeting of the State Banking Board was held in the Office of the Commissioner, Department of Financial Institutions, 1200 Memorial Highway, Bismarck, North Dakota. Chair Kruse called the meeting to order at 9:00 a.m., Thursday, November 18, 2021.

MEMBERS PRESENT: Lise Kruse, Chair  
Todd Heilman, Member  
John Schmid, Member  
Tom Stennes, Member  
Pao-Yueh (Claudia) Schollmeyer, Member  
Brenda Foster, Member

MEMBER ABSENT: Pete Jahner, Member

ALSO PRESENT: Corey Krebs, Secretary  
Ryan Spah, Chief Examiner  
Angie Mills Fischer, Review Examiner  
Megan Sauer, Administrative Examiner  
Dean DePountis, Assistant Attorney General

**APPROVAL OF MINUTES**

Chair Kruse indicated the Board received copies of the minutes of the regular meetings held on July 8, 2021 and September 9, 2021, and of the special meeting held October 29, 2021.

**It was moved by Member Foster, seconded by Member Heilman, and carried by a vote of 6 to 0, with Member Jahner absent, to approve the minutes of the**

**regular meetings held on July 8, 2021 and September 9, 2021 and of the special meeting held October 29, 2021.**

**BANK FORWARD, HANNAFORD, ND – APPLICATION TO RELOCATE MAIN OFFICE FROM HANNAFORD TO FARGO, ND AND CONVERT THE HANNAFORD LOCATION INTO A BRANCH**

Review Examiner Angela Mills Fischer reviewed the memorandum. The complete application was received on November 9, 2021.

There were no comments or questions from the Board.

Review Examiner Angela Mills Fischer stated it is the recommendation of the Department that the merger application be approved, and that the Commissioner be authorized to sign the proposed Order on behalf of the Board.

**It was moved by Member Stennes, seconded by Member Schmid, and carried by a vote of 6 to 0, with Member Jahner absent, to approve the application to relocate the main office from Hannaford to Fargo and convert the Hannaford location into a branch.**

**2021 SEMI-ANNUAL ASSESSMENT POLICY FOR STATE CHARTERED BANKS AND TRUST COMPANIES**

Assistant Commissioner Krebs presented the Semi-Annual Assessment Policy. A discount of 40%, excluding the PPP loans from assessments, and excluding CARES Act related deposits exceeding 20% of total bank deposits from assessments was agreed upon.

The Board had no questions or comments.

**It was moved by Member Heilman, seconded by Member Foster, and carried by a vote of 6 to 0, with Member Jahner absent, to approve the semi-annual assessment policy for state-chartered banks and trust companies.**

## **ITEMS TO BE NOTED**

Chair Kruse gave an overview of approvals that were done by the Commissioner since the last State Banking Board meeting. American Bank Center (Bravera Bank) merged The Citizens State Bank of Finley, Finley, into American Bank Center. American Trust Center, Dickinson (Bravera Wealth) established a facility at 918 Burrel Ave SE, Cooperstown, ND. First Western Bank & Trust, Minot established an interstate branch at 320 Phillip Ave, Ste 201, Sioux Falls, SD. Horizon Financial Bank, Munich requested an extension to establish a facility at 102 9<sup>th</sup> Ave NE, Langdon, ND. Bell Bank, Fargo established an LPO at 200 Union Blvd, Ste 200, Lakewood, CO; 1893 Station Parkway NW, Andover, MN; 2220 Central Ave NE, Minneapolis, MN. Merchants Bank, Rugby established an LPO and DPO at 649 Knutson St, Mapleton, ND. KodaBank, Drayton established an LPO and DPO at 4626 Amber Valley Parkway S, Fargo, ND. Food Bank of Larimer County, Loveland, CO requested to use the word “bank” in the registered trade name of the business. Advocacy Trust LLC, Chattanooga, TN request to use the word “trust” in the registered trade name of the business. TS Bank, Treynor, IA request to use the word “bank” in the registered trade name of the business. Approved by the Commissioner.

Commissioner Kruse had gone before the Emergency Commission and the increase to the Department’s spending authority for the biennium was granted. The Department has the funds but needed the authority to spend them for the Department’s office relocations.

Commissioner Kruse stated she had attended training provided by the Attorney General’s Office regarding Board and Board Governance where they discussed conflict of interest for Board members. She also stated that the Ethics Commission that has been established in North Dakota is coming out with guidance and rules for Boards, state employees, cabinet leaders, and legislators. When that is provided, the Department will formalize a policy for conflict of interest for the Board.

## **2022 MEETING DATES**

Chair Kruse stated that the proposed meeting dates will be moved from the second Thursday of every other month to the second Tuesday of every other month due to schedule conflicts. There were no objections to that schedule. The meeting

dates for 2022 will be January 11, March 8, May 10, July 12, September 13, and November 8.

## **BANK BUDGET UPDATE**

Assistant Commissioner Krebs gave an overview of the Department's budget. He stated the Department expenditures, and what is remaining for the biennium are tracking within budget.

## **EXECUTIVE SESSION**

**It was moved by Member Foster, seconded by Member Schmid, and carried by a vote of 6 to 0, with Member Jahner absent, to adjourn to executive session.**

**The Board went into closed session at 9:25 a.m. to review the Supervisory Reports of Examination pursuant to North Dakota Century Code 6-01-07.1, and to discuss any confidential records pursuant to North Dakota Century Code 44-04-19.2. Those that were present during the executive session were Chair Kruse, Member Heilman, Member Schmid, Member Stennes, Member Schollmeyer, Member Foster, Corey Krebs, Ryan Spah, Angie Mills Fischer, and Megan Sauer.**

## **PUBLIC SESSION**

**The Board returned to open session at 10:13 a.m**

**It was moved by Member Stennes, seconded by Member Schollmeyer, and carried by a vote of 6 to 0, with Member Jahner absent, to authorize the Commissioner to proceed to issue a final order against Brady Torgerson.**

The meeting adjourned at 10:15 a.m.



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Lise Kruse, Chair



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Corey Krebs, Secretary