North Dakota Ethics Commission Regular Meeting

Minutes of May 20th, 2026

612 East Boulevard Avenue, 58505, Sakakawea Room, Bismarck, ND and MS Teams

1. **Call to Order:** The in-person meeting was called to order by Chair Cynthia Lindquist at 9:04 a.m. The following members of the Ethics Commission were also present in person: Commissioners Pamela Sharp and Jared Huibregtse, as well as Executive Director Rebecca Binstock, General Counsel Logan Carpenter, Operations Administrator Adilene Moos, Interns Faith Scheuer, Ashley Wohl, and Conner Martin. The following members of the Ethics Commission were present on MS Teams: Vice Chair Ron Goodman and Commissioner Mark Western.

2. **Agenda Additions:** There were no agenda additions at the time of this meeting.

3. **Public Comment Period:** There were no public comments at the time of this meeting.

4. **Approval of Meeting Minutes:** The Commission discussed regular meeting minutes from April 24, 2026. Commissioner Huibregtse advised the staff to revise Item 5e, so that the acronym, "RIF", be changed to "RFI". Commissioner Huibregtse also advised the staff to change a sentence in item 5e, so that it reads "provide a solution" instead of to "inform NDIT how they would solve the solution".

   Motion: Chair Lindquist moved to approve the amended regular meeting minutes from April 24, 2026. Chair Lindquist called for a voice vote. The motion was approved by a unanimous voice vote.

5. **Operations Report:**
   a. OA Moos provided a budget update for April 2026 for the 2025-27 biennium budget. She noted the following totals: current appropriation for the 2025-2027 biennium is $1,384,716, which includes intern funding from OMB. Expenditures in April were $55,664, bringing the total for the biennium to $501,403, leaving a remaining appropriation for the 2025-2027 biennium of $883,313. ED Binstock projected expenditures through the end of the biennium to be at $878,998, leaving an estimated ending balance for the biennium on June 30, 2027, at $4,315. This number will fluctuate. OA Moos noted that the IT costs were higher than usual due to the public priorities survey analysis. IT costs will continue to be higher due to the additional interns. Professional fees and services, outside counsel budget litigation pool costs remained the same. ED Binstock added that

the original estimate that IT gave the Commission for the data analysis came in under budget.

b. Executive Director Rebecca Binstock provided an update to the Commission on filings.

In April 2026, the Commission received the following filings:

- Complaints: 3
- Quasi-Judicial Forms: 0
- Conflict of Interest Forms: 7
- Meeting Notices: 9

The Commission dismissed 3 complaints.

The Commission closed 1 complaint.

As of April 31, 2026, the Commission had 41 pending complaints.

c. ED Binstock provided an education and outreach update. Staff hosted a webinar on the complaint rule amendments that were effective earlier this year. Approximately 145 people initially attended the webinar. Individuals can now watch the webinar online or through YouTube which is linked to the Commission's website. The materials for the webinar were sent out as a slide deck after the webinar. The Commission had a post-webinar survey compiled for feedback. The webinar was approved for continuing legal education.

ED Binstock provided an update on future webinars regarding the travel disclosure rules. The Commission is making it a priority to give everyone the tools to comply with the rules. The Commission will hold two separate training sessions for these rules. One will start as a general webinar for anyone to attend. It will cover why the rule exists, what the filing looks like, and what the actual rule is. The next webinar will be a special webinar specifically for filers. The purpose of this webinar will be to walk through the form and how the process works for filing these forms online.

There will also be a landing page on the Commission website frequently asked questions.

ED Binstock gave an explanation on other initiatives the Commission is brainstorming. The Commission is looking to hold virtual office hours. ED Binstock or GC Carpenter will be available online during July and August. The Commission may role this initiative into the fall.

The Commission is looking to make short, 30-45-second, videos regarding the travel disclosure rule. These will be posted on social media with the commissioner's consent.

The last initiative is to create a QR code on a card for travelers. This is so travelers can take the QR code with to scan. The QR code will take the traveler to the Commission's landing page on the travel disclosure rules to fill out the form. This information will go out to public officials as well as the public in a news release and targeted emails.

Commissioner Huibregtse expressed the importance of a landing page for the form. He also stated that it would be helpful to show the filer examples on acceptable formatting of the form.

d. ED Binstock provided a human resources update. The Commission brought three interns onboard for the summer, two legal interns and one business intern. The Commission's business intern started early May, and the legal interns started in the office on May 18th. OMB has officially approved covering 50% of the intern's salary. ED Binstock stated that the office is facing space constraints due to the extra individuals in the office.

ED Binstock gave an update on the law clerk position. At the February meeting, the Commission approved the posting of a 1-year law clerk position to help with legal research. This position was posted and it closed last week. There are three applicants for the position.

Commissioner Sharp will help GC Carpenter with the interview process. ED Binstock will participate in the interview process due to a relationship with one of the applicants.

e. ED Binstock provided an update on the case management system. The Commission is still waiting on NDIT to present the Commission with options to consider. ED Binstock had a meeting scheduled with NDIT that was cancelled. More information on the case management system will be provided in June.

6. **<u>Chair Lindquist's Farewell Message:</u>** Chair Lindquist will be stepping down as Chair of the Ethics Commission effective June 1st, 2026. Chair Lindquist thanked her colleagues and staff. Chair Lindquist acknowledged the first cohort of the Ethics Commission. She also acknowledged the importance of diversity in the Ethics Commission. Chair Lindquist expressed the importance

of respect and integrity of work. Chair Lindquist gave praise to the Commission during the COVID-19 pandemic. During her tenure, the Commission has continued to improve and move forward.

Chair Lindquist stressed the importance of staffing as the Commission grows. Chair Lindquist explained the importance of continuing to grow the Commission.

Vice Chair Goodman thanked Chair Lindquist for her friendship and her perseverance as Chair.

7. **<u>Ongoing Business:</u>**
   a. ED Binstock provided an update on the public priorities data: She thanked NDIT for their time and effort on the survey. ED Binstock explained data that was taken by the survey. She went over all the questions and demographics that were involved in the survey.

   ED Binstock explained the survey respondents were residents of North Dakota. There was a wide range of responses depending on how they identified themselves. ED Binstock explained that continued outreach and education is important for the Commission. ED Binstock thanked the public for their responses. The Commission directed staff to work on getting this information out to the public in a better manner.

   Commissioner Huibregtse added that this survey will help differentiate between what's important and what's not important to the public.

   Vice Chair Goodman questioned whether the public had access to this data. ED Binstock explained that this data is only internal to the Commission, but the Commission is working on figuring out a way to release this data.

   The Commission recessed at 10:18 a.m. and all Commission members reconveyed at 10:31 a.m.

   b. ED Binstock gave an overview of the Commission's strategic planning process. The purpose of this discussion is to consider the direction of the Strategic Plan in light of the Public Priorities Survey Data.

   ED Binstock expressed the importance of public knowledge of the Commission's operations as well as trust in the Commission. Understanding the authority of the Commission is a topic that the Commission is working on. ED Binstock advised the

Commission to review the strategic planning document. She also advised the Commission to review the mission statement and look for any revisions.

Commissioner Huibregtse added that he would like the Commission to hold a special meeting to fully discuss the strategic planning process. Commissioner Sharp agreed with the idea of a special meeting. The Commission also agreed it would be beneficial to hold a special meeting with the new Chair of the Commission following Chair Lindquist's exit.

The Commission scheduled a special meeting regarding the strategic plan to be held on June 10th at 9:00am. The meeting will be in-person and via MS Teams.

c. ED Binstock gave an overview of the 2027-2029 budget request. Based on the discussion from the Commission's April meeting, Commission staff, along with Commissioner Sharp, developed Decision Packages for the Commission's consideration. These Decision Packages are requests in addition to the Commission's ongoing appropriation of $1,322,107.

(1) Decision Package 1: FTE

a. Estimated Cost: $270,000/biennium for attorney; $236,000/biennium for paralegal
b. Legal FTE (either an attorney or paralegal) to include one-time costs of onboarding (NDIT, furniture, travel, etc.) and ongoing salary costs
c. If the Commission requests an attorney FTE, it may be able to offset some costs by reducing the amount of professional fees needed

The Commission discussed whether an attorney or a paralegal would be the best fit for staff. The Commission concluded that an attorney would be the best fit for the staff. Chair Lindquist added that it is crucial to add more staff, especially an attorney.

(2) Decision Package 2: FTE

a. Estimated Cost: $270,000/biennium
b. Education & Outreach Coordinator FTE to include one-time costs of onboarding (NDIT, furniture, etc) and ongoing salary costs

The Commission discussed the importance of an education and outreach coordinator. Commissioner Huibregtse stated that other ethics commissions in the United States have these positions and it would be beneficial of the Commission added one.

(3) Decision Package 3: FTE

a. Estimated Cost: $170,000/biennium
b. Administrative Assistant FTE to include one-time costs of onboarding (NDIT, furniture, travel, etc.) and ongoing salary costs
c. ED Binstock anticipates this position can serve as both an administrative assistant and a filing clerk

(4) Decision Package 4: Costs to Administer Meetings, Townhalls, & Educational Meetings

a. Estimated Additional Cost: $145,000
b. Commissioner Salary
c. Commissioner & Staff Travel

Commissioner Sharp commented that the Commission should draw back on town halls for budgeting and scheduling purposes. The Commission agreed to draw back on town halls and restructure them.

ED Binstock explained that the budget was adjusted so that commissioner travel is overestimated. The Commission discussed the budget estimation of going to the COEGL conference. The Commission concluded to lower the attendees of the conference from 5 individuals to 3 individuals.

(5) Decision Package 5: Additional Temporary Salaries

a. Estimated Additional Cost: $15,000
b. Intern costs (less 50% of the salary intern's salary contribution from OMB intern program)
c. Temporary salary costs for a law clerk (as a contingent to Decision Package 1)

(6) Decision Package 6: Case Management System

a. Awaiting final cost estimates from NDIT
b. To include both one-time and ongoing expenses to maintain the case management system

(7) Decision Package 7: Costs of an Independent Audit

a. ED Binstock will coordinate with the Office of the Auditor to determine the cost of an independent performance audit.
b. ED Binstock will also coordinate any necessary testimony from the auditor's office to support this decision package

(8) Decision Package 8: Contingency budget (3% reduction)

a. 3% contingency General Fund reduction of **$39,598**
b. Likely funds will be removed from professional fees & and travel costs portion of the budget

This is the Commission's first look at decision packages. Upon review of the decision package priorities listed above, ED Binstock can begin determining actual costs (instead of estimates) of these additional needs, less any funds that are in the Commission's ongoing appropriation. Additionally, ED Binstock will begin drafting the Commission's rationale for the FTE and funding requests and support those requests with data, action items for the coming biennium, and contingent, alterative solutions to FTEs.

d. ED Binstock provided an update on the commissioner appointment process. The Selection Committee met on May 14, 2026, to review applications. At the meeting, Commissioner Western was reappointed to a full 4-year term. The Selection Committee also narrowed the field from 18 applicants to 6 applicants to fill the remainder of Chair Lindquist's term. Candidates will have until May 22 to submit responses to questions from the Committee. The Selection Committee plans to use the responses to select finalists to interview. The Commission is not involved in the selection process.

e. ED Binstock provided overview of the standard operating procedure for meeting requests. The purpose of the SOP is to promote open dialogue between Commissioners and stakeholders while ensuring Commission communication is consistent with its authority, official actions, and public positions.

ED Binstock explained that the Commission's staff added that the standard operating procedure does not apply to media on Commissioner Western's request at the April meeting. ED Binstock also added an item in the procedure that the chair and executive director should be notified of an unplanned meeting. At the event of an unplanned meeting where the chair was absent, the commissioners should give the chair a summary of the meeting with no confidential information.
Commissioner Western questioned what the Commission's definition of external stakeholder was.

Vice Chair Goodman discussed how far the implications of communications with external stakeholders go.

Motion: Commissioner Huibregtse moved to adopt Standard Operating Procedure for Meeting Requests. The motion was seconded by Vice Chair Goodman. Chair Lindquist called for a roll call vote. The motion was approved by a unanimous roll call vote.

f. GC Carpenter discussed *Citizens Alliance of North Dakota et al v. Wrigley et al*, No. 1:25-cv-256 (D.N.D. 2025). The Commission was dismissed from the federal litigation that was filed by Citizens Alliance and Mr. Brandon Pritchard. ED Binstock was dismissed in her official capacity. The attorney general was also dismissed. The court did not grant state's attorney Lawyer's motion to dismiss. The Commission will continue to monitor the situation.

The Commission recessed at 12:11 p.m. and all Commission members reconvened at 12:57 p.m.

g. Discussion of Attorney General Letter Opinion 25-L-03:

Motion: Commissioner Western moved to enter executive session pursuant to N.D.C.C. sections 44-04-19.1 and 44-04-19.2 for the purpose of attorney consultation regarding actions available to the Commission, including litigation, relating to Attorney General Opinion 25-L-03 and on the legal risks, strengths, and weaknesses of proposed actions of the Commission regarding Attorney General Letter Opinion 25-L-03 which, if held in public, would have an adverse fiscal effect on the Commission. The motion was seconded by Commissioner Huibregtse. Chair Lindquist called for a roll call vote. The motion was approved by a unanimous roll call vote.

The Commission entered executive session during the general meeting at 1:02pm to discuss the Attorney General Letter Opinion 25-L-03.

Information regarding the above-mentioned is confidential. The following participants entered the executive session: Chair Lindquist, Vice Chair Goodman, Commissioners Pamela Sharp, Mark Western, and Jared Huibregtse, Executive Director Rebecca Binstock, General Counsel Logan Carpenter, Operations Administrator Adilene Moos, Interns Faith Scheuer, Ashley Wohl, and Conner Martin.

Executive Session ended at 1:34pm and all Commission members returned to the regular meeting.

8. **Advisory Opinion 26-03, 26-05, 26-06, 26-07, and 26-08:** GC Carpenter discussed the advisory opinion process. GC Carpenter then gave an overview of the advisory opinions.

Advisory Opinion 26-03:
This request was received on February 27, 2026, by the North Dakota Library Association. The request relates to holding an event at the capital during legislative session extension. Commission staff will be working with the ND Library Association for an extension on this advisory opinion request.

Advisory Opinion 26-05:
This request was received on April 7, 2026, by Senator Paul Thomas. The request relates to managing a potential conflict of interest.

Advisory Opinion 26-06
This request was received on April 7, 2026, by Representative Bernie Satrom. The request relates to accepting travel reimbursement expenses for an out-of-state event.

The Commission is unsure whether Advisory Opinion 26-06 is still proposed conduct.

Advisory Opinion 26-07:
This request was received on April 30, 2026, from Representative Kathy Frelich. The request relates to accepting travel reimbursement expenses for an out-of-state event.

Advisory Opinion 26-08:
This request was received on May 8, 2026, from the Executive Director of North Dakota Association of Soil Conservation Districts regarding its annual convention.

9. **Discussion of Legislator Travel Inquiry:** ED Binstock explained a legislator travel inquiry. On May 3rd, 2026, received an email from a legislator. The email was forwarded from, The American-Israel Public Affairs Committee regarding a trip the legislator was invited to. The Commission is unsure about the details of the trip. The email did not request an advisory opinion. ED Binstock informed the legislator the Commission will discuss the inquiry.

GC Carpenter added that the Commission does not know if the trip is to Israel. The Commission assumes it is because the email reference a prior trip paid for by the Consulate of Israel.

Vice Chair Goodman advised that the Commission's staff should ask specifically questions regarding the meeting's logistics. GC Carpenter explained that the email did not ask for an advisory opinion.

The Commission discussed the best way to respond to the inquiry. Commissioner Western proposed that staff frame a communication asking that the sender request an advisory opinion for the Commission for a full response. The Commission directed staff to point The American-Israel Public Affairs Committee towards requesting an advisory opinion.

10. **Discussion of Receipt of Information Containing Evidence of Ethics Violations:**

Motion: Commissioner Huibregtse moved to enter executive session pursuant to N.D.C.C. §§ 44-04-19.1 and 44-04-19.2 for the purpose of attorney consultation regarding actions available to the Commission, relating to receipt of information containing evidence of ethics violations and on the legal risks, strengths, and weaknesses of proposed actions of the Commission regarding the information which, if held in public, would have an adverse fiscal effect on the entity. The motion was seconded by Commissioner Western. Chair Lindquist called for a roll call vote. The motion was approved by a unanimous roll call vote.

The Commission entered executive session during the general meeting at 1:55pm to discuss the receipt of information containing evidence of ethics violations.

Information regarding the above-mentioned is confidential. The following participants entered the executive session: Chair Lindquist, Vice Chair Goodman, Commissioners Pamela Sharp, Mark Western, and Jared Huibregtse, Executive Director Rebecca Binstock, General Counsel Logan Carpenter, Operations Administrator Adilene Moos, Interns Faith Scheuer, Ashley Wohl, and Conner Martin.

Executive Session ended at 2:44pm and all Commission members returned to the regular meeting.

The following motion was made after executive session:

Motion: Commissioner Huibregtse moved that the Commission's staff take action as directed during executive session. The motion was seconded by Commissioner Sharp. Chair

Lindquist called for a roll call vote. The motion was approved by a unanimous roll call vote. Commissioner Western abstained from voting.

11. **<u>Discussion of Complaint Nos. 23-014, 24-008, 24-013, 24-015, 24-031, 24-032, 24-035, 25-004, 25-021, 25-022, 25-038, 25-039, 25-047, 25-048, 25-049, 25-050, 25-051, 25-052, 25-053, 25-054, 25-055, 25-056, 25-057, 25-060, 25-061, 25-062, 26-068, 26-018, 26-019, and 26-020:</u>** The Commission entered executive session during the regular meeting to discuss Complaint Nos. 23-014, 24-008, 24-013, 24-015, 24-031, 24-032, 24-035, 25-004, 25-021, 25-022, 25-038, 25-039, 25-047, 25-048, 25-049, 25-050, 25-051, 25-052, 25-053, 25-054, 25-055, 25-056, 25-057, 25-060, 25-061, 25-062, 26-068, 26-018, 26-019, and 26-020

All Commission members entered executive session during the regular meeting at 2:56pm.

Information regarding the above-mentioned is confidential. The following participants entered the executive session: Chair Lindquist, Vice Chair Goodman, Commissioners Pamela Sharp, Mark Western, and Jared Huibregtse, Executive Director Rebecca Binstock, General Counsel Logan Carpenter, Operations Administrator Adilene Moos, Interns Faith Scheuer, Ashley Wohl, and Conner Martin.

Executive Session ended at 3:15 p.m. and all participants returned to the regular meeting.

During the Executive Session, the Commission discussed Complaint Nos. 23-014, 24-008, 24-013, 24-015, 24-031, 24-032, 24-035, 25-004, 25-021, 25-022, 25-038, 25-039, 25-047, 25-048, 25-049, 25-050, 25-051, 25-052, 25-053, 25-054, 25-055, 25-056, 25-057, 25-060, 25-061, 25-062, 26-068, 26-018, 26-019, and 26-020

After Executive session, the following motions were made:

> **<u>Motion:</u>** Vice Chair Goodman moved to close Complaint No. 24-032. The motion was seconded by Commissioner Sharp. Chair Lindquist called for a roll call vote. The motion was approved by a unanimous roll call vote. Commissioner Western abstained from voting.
>
> **<u>Motion:</u>** Commissioner Huibregtse moved to dismiss Complaint No. 26-018 for lack of subject matter jurisdiction. The motion was seconded by Commissioner Western. Chair Lindquist called for a roll call vote. The motion was approved by a unanimous roll call vote.

Motion: Vice Chair Goodman moved to dismiss Complaint No. 26-019 and Complaint No. 26-020 for lack of personal jurisdiction. The motion was seconded by Commissioner Western. Chair Lindquist called for a roll call vote. The motion was approved by a unanimous roll call vote.

12. **Executive Director Annual Performance Evaluation:** Chair Lindquist explained the steps the Commission has taken in the past when evaluating the executive director. Chair Lindquist replicated the evaluation procedure form from the previous year. She explained that she gave ED Binstock perfect scores in all categories. She also added a section for the goal of the Commission as well as ED Binstock. Chair Lindquist emphasized the importance of self-care for Commission staff.

    ED Binstock explained the process for declaring a pay raise. Commissioner Sharp expressed the idea of making motion to increase ED Binstock's salary by 2%. Commissioner Huibregtse added the Commission should approve the 2% raise at this meeting and continue discussion of a higher raise later.

    Chair Lindquist asked how the raise percentage is determined and if it can be higher. Commissioner Sharp explained the legislative pay raise procedures.

    Vice Chair Goodman exited the meeting at 3:30pm.

    Motion: Commissioner Sharp moved to approve a 2% salary increase for ED Binstock, with later discussion of a later pay increase. The motion was seconded by Commissioner Huibregtse. Chair Lindquist called for a roll call vote. The motion was approved by a unanimous roll call vote with Vice Chair Goodman being absent from the vote.

13. **Adjourn:** Having no further business, the meeting was adjourned at 3:32 p.m. The next regular meeting is scheduled for June 24th, 2026, at 9:00 a.m. The meeting will be held in-person in Bismarck and livestreamed with MS Teams.

Approved on 07/09/2026

RBinstock

Rebecca Binstock, Executive Director, North Dakota Ethics Commission