

North Dakota Ethics Commission Special Meeting

Minutes of January 9, 2024

MS Teams

1. **Call to Order:** The meeting was called to order by Chair Paul Richard at 9:00 a.m. The following members of the Ethics Commission were also present: Vice Chair Dave Anderson, Commissioners Ward Koeser, Ron Goodman, and Cynthia Lindquist, as well as Executive Director Rebecca Binstock, General Counsel Logan Carpenter, and Executive Assistant Alisha Maier. Chair Richard reminded the Commission that discussion for the meeting is limited to the agenda item which includes discussion of the September 25, 2023, request for an advisory opinion.
2. **Discussion of Advisory Opinion Request No. 23-03, dated September 25, 2023:** Chair Richard advised the Commission that ED Binstock, GC Carpenter, and himself went back and reviewed the original advisory opinion request since the previous meetings discussion and found a procedural issue regarding whether the Commission should issue an opinion. Chair Richard further explained the way the question was framed in this specific advisory opinion request, is not related to the requestor's own perspective conduct.

ED Binstock advised the Commission did not receive anything documentation the request was approved by the NDPERS Board or done on behalf of the legislator members of the Board and in the Commissions review of the NDPERS Board minutes, there was no official action to do so.

Motion: Commissioner Ward Koeser made a motion to table the Advisory Opinion Request until the Commissions January 17, 2024, regular meeting so procedures and further action could be discussed. The motion was seconded by Commissioner Goodman. Chair Richard called for a roll call vote. The motion was approved by unanimous roll call vote.

3. **Executive Session:** The Commission entered executive session during the special meeting at 9:36 a.m. to discuss Complaint Nos 22-003, 22-004, 22-005, 22-006, 22-007, 22-008, 22-009, 22-010. Information regarding the content and parties to a complaint to the Ethics Commission is confidential. The following participants entered the

executive session: Chair Paul Richard, Vice Chair Dave Anderson, Commissioners Ron Goodman, Ward Koeser, and Cynthia Lindquist, Special Assistant Attorney General Pat Monson, Executive Director Rebecca Binstock, General Counsel Logan Carpenter, and Executive Assistant Alisha Maier.

Executive Session ended at 9:55 a.m. and all participants returned to the special meeting. During the Executive Session, the Commission discussed Complaint Nos 22-003, 22-004, 22-005, 22-006, 22-007, 22-008, 22-009, 22-010. The following action was taken:

Motion: Commissioner Anderson moved to direct Executive Director Rebecca Binstock and legal counsel to act in accordance with the guidance provided in Executive Session. Motion was seconded by Commissioner Goodman. Chair Richard called for a roll call vote. The motion was approved by unanimous roll call vote.

4. **Adjourn:** Meeting adjourned at 9:56 a.m.

Approved on R Binstock 1/17/2024

Rebecca Binstock, Executive Director, North Dakota Ethics Commission