

North Dakota Ethics Commission Regular Meeting

Minutes of May 24, 2023

MS Teams

1. **Call to Order:** The meeting was called to order by Chairman Paul Richard at 9:07 a.m. The following members of the Ethics Commission were also present: Vice Chair David Anderson, Commissioners Ron Goodman and Ward Koeser as well as Special Assistant Attorney General Pat Monson, Executive Director Rebecca Binstock, and Office Manager Holly Gaugler. Commissioner Cynthia Lindquist was not present.
2. **Approval of Agenda:** One addition was made by Chair Richard to include an update from Executive Director Binstock on the status of the Attorney General legal counsel in her Executive Director update.
3. **Approval of Minutes:** The Commission discussed meeting minutes from April 26, 2023, with no changes made.

**Motion:** Vice Chair Anderson moved to approve meeting minutes from April 26, 2023, with no changes. Motion was seconded by Commissioner Goodman. Chair Richard called for a voice vote. The motion was approved by unanimous voice vote.

4. **Budget Update:** Office Manager Holly Gaugler provided a budget update as of April 30, 2023, showing total expenses for April 2023 at \$24,120 and total expenditures for the biennium of \$539,253 - leaving a balance for the remainder of the biennium at \$84,731. Gaugler briefed the Commission on projected expenditures for the remainder of the biennium of \$112,870 which would leave a remaining balance on June 30, 2023, of \$7,781 which includes a deficiency funding of \$72,000 for SAAG costs and \$25,000 for office remodeling added to the Commission's budget bill SB 2024 and an emergency clause added to SB 2015. She added that the ending balance needs to be adjusted upward to include \$10,000 for investigation costs and \$4,000 for rules advertising included in prior projections which likely will not be incurred in the current biennium, leaving an adjusted ending balance of \$21,781.

Executive Director Binstock asked that the Commission approve expenditures utilizing the new projected ending balance to purchase various items to equip the new office space. Some of those items included the following: conference table, privacy window film, storage cabinet, printer for a new FTE, wiring and lighting costs, conference room chairs, and several basic office supplies.

**Motion:** Commissioner Koeser moved to grant authority to Executive Director Rebecca Binstock to expend funds within the Ethics Commission's budget not otherwise earmarked for other necessary expenses to sufficiently equip the capitol office space to meet the needs of the Commission. Motion was seconded by Vice Chair Anderson. Chair Richard called for a roll call vote. The motion was approved by unanimous roll call vote.

5. **Executive Director Update:**

- Executive Director Binstock discussed the new office space updating the Commission that the Department of Health and Human Services had moved out of the 3<sup>rd</sup> floor J-Wing suite in early May. Shortly after, OMB started demolition of the many temporary walls which had been in the space. After demolition was complete, OMB started re-working the wiring and relocating lights to align with the placement of the glass temporary walls. OMB had also started re-painting.

The glass temporary walls are slated to arrive in late June. The carpet will be replaced as well, likely starting next week. Conference video equipment will also be installed in the next few weeks.

- Executive Director Binstock briefed the Commission on the status of general counsel provided by the Attorney General's Office. She explained that the emergency clause added to SB 2015 had been added to include all of the Commission's 2023-25 budget and not just for the SAAG costs of \$72,000 and office relocation costs of \$25,000 as expected. With the emergency clause applied to all of the 2023-25 budget, the Commission was provided authority to hire two new FTE's upon signing of both SB 2015 and SB 2024. Because of that authority, the Attorney General's office was no longer required to provide legal counsel to the Commission. Executive Director Binstock has been working on a position description for the new attorney FTE. In the meantime, she requested that the Commission grant her authority to appoint Patricia Monson as an Assistant Attorney General for legal counsel to the Commission in the interim before a new attorney can be hired.

**Motion:** Commissioner Goodman moved to grant authority to Executive Director Rebecca Binstock to request approval from the Attorney General for the appoint Patricia Monson as Assistant Attorney General and general counsel to the Commission until a new attorney is hired by the Commission. Motion was seconded by Commissioner Koeser. Chair Richard called for a roll call vote. The motion was approved by unanimous roll call vote.

6. **Letter of Appreciation to Allyson Hicks:** Chair Richard requested Executive Director Rebecca Binstock provide a letter of appreciation to the Commission's former legal counsel, Allyson Hicks for her support and guidance provided to the Commission.
7. **Adjourn:** Commission, having no further business, was adjourned at 10:06 a.m. The Commission will have a special meeting May 31, 2023 at 9:00 a.m. via MS Teams. The next regular meeting is scheduled for June 13, 2023, at 9:00 a.m. via MS Teams.

Approved on 5/31/2023 

Rebecca Binstock, Executive Director, North Dakota Ethics Commission

