

SPECIAL MEETING OF CASS COUNTY BOARD OF COMMISSIONERS

JANUARY 7, 1991

1. MEETING TO ORDER

Vice Chairman Alon Wieland called the meeting to order at 3:30 PM on January 7, 1991, as a special meeting of the Cass County Board of Commissioners to review bill drafts prepared by Mark Boening, Assistant States Attorney for Cass County.

2. COMMISSION MEETINGS, Change requested on required dates

Bill draft calls for changing meeting dates of boards of county commissioners from the first Tuesday in January, April, July and October of each year to meet in the week of January, April, July and October. Mr. Wieland asked if the State Constitution requires meeting the first Tuesday of those months specified, and Mr. Boening said he will review that.

MOTION, passed

Mrs. Toussaint moved and Mr. Risher seconded to support legislation and seek sponsorship of a bill to change Section 11-11-05, NDCC, county commission meeting dates as stated above, subject to the constitutional question. On roll call vote, motion carried unanimously.

3. TAX EQUALIZATION, Appointment of directors, assessors training and certification

This bill draft proposes a change in two sections of the law relating to appointment of county directors of equalization and training for assessors for townships and cities. Changes in these two sections were recommended in the "Cass County Report."

Frank Klein, Cass County Tax Equalization Director, said he supports drafting legislation to this effect and thinks the tax directors' group would support it. He doesn't feel educational requirements are stringent enough at the present time.

MOTION, passed

Mr. Shannon moved and Mrs. Toussaint seconded to support legislation and seek sponsorship of the proposed amendment of subsection 2 of section 11-10.1-01 and subsection 2 of Section 11-10.1-05, NDCC. On roll call vote, motion carried unanimously.

4. SOCIAL SERVICE PERSONNEL, Combining with county personnel/not supported

This bill draft proposes a new section to Chapter 54-42, NDCC, for combining social service personnel with existing county personnel system.

Cass County Social Service Director Kathy Hogan expressed some concerns and possible opposition to such a bill: 1) Cass County does not have an established merit system, 2) other county social service directors have expressed concern about such a bill and may not support it at this time, 3) she wonders if this is the time to encourage separation and autonomy.

MOTION, passed

Mr. Shannon moved and Mr. Risher seconded not to support legislation for county social service employees leaving the state merit system at this time. On roll call vote, motion carried unanimously.

5. **CHILD SUPPORT ENFORCEMENT, Shift responsibility from State Department of Human Services to Attorney General's Office**

County Coordinator Bonnie Johnson, who was previously Regional Child Support Enforcement Director, explained a bill draft to move the duties of administering the child support enforcement program from the Department of Human Services to the Office of Attorney General. She said there would be support from the regional offices but opposition from the Department of Human Services.

Mr. Boening said this bill doesn't resolve the appropriations question, and Mr. Wieland suggested attaching a fiscal note. He also advised seeking support of Mark Johnson, Executive Director of the North Dakota Association of Counties.

MOTION, passed

Mr. Shannon moved and Mrs. Toussaint seconded to support legislation and seek sponsorship of a bill to amend Section 14-09-09.7, subsection 10 of Section 14-09-09.10, section 50-09-02.1, subsection 5 of section 50-09-03 and section 50-09-08, NDCC, and to repeal subsection 12 of section 50-09-02, NDCC. On roll call vote, motion carried unanimously.

6. **COUNTY OFFICIALS, Training and certification**

Mr. Wieland said at least two states already have a law for training and certification of newly elected county officials. He asked the Cass County Commission to support Senate Bill 2195 introduced by Senator Layton Freborg, which applies to newly elected school board members. He suggested attaching an amendment to include newly elected county officials.

Bonnie Johnson said the county could submit their own bill, and perhaps the two would be merged later.

Mr. Eckert said he favors the idea of county officials having qualifications for a particular office, but he doesn't want to support legislation without knowing what qualifications and training will be required for each office. Mr. Wieland said each state association can adopt their own set of qualifications.

MOTION, passed

Mr. Shannon moved and Mrs. Toussaint seconded to adopt proposed legislation and seek sponsorship of a bill to create a new section to chapter 11-10, NDCC, relating to training and certification of newly elected county officials. Motion carried on roll call vote with four members voting "Aye", Mr. Eckert opposing.

7. **HOME RULE CHARTER, COUNTY MANAGER FORM, Allows for special election**
Mr. Boening prepared two bill drafts which would allow a board of county commissioners to call a special election for submission of a proposed home rule charter and for submission of a proposed county managership form of government.
MOTION, passed
Mr. Shannon moved and Mr. Risher seconded to adopt proposed legislation and seek sponsorship of a bill to amend section 11-09.1-03 and 11-09.1-04, NDCC, and a bill to amend section 11-09-02, NDCC. On roll call vote, motion carried with four members voting "Aye", Mr. Eckert opposing
8. **VETERANS PREFERENCE LAW, Information from Cass County VS0**
John Meyer, Cass County Veterans Service Officer, provided copies of proposed legislation calling for amendment of subsection 5 of section 37-19.2-02, NDCC, relating to employment preference.
9. **COUNTY FINANCIAL STATEMENTS, Completion deadline changed**
Auditor Michael Montplaisir asked for Commission support on Senate Bill 2117 which sets March 15th (instead of February 1st) as the date for completion of general purpose financial statements by county auditors.
MOTION, passed
Mr. Shannon moved and Mr. Eckert seconded that the Cass County Commission prepare a letter of support for a revision of section 11-11-11, NDCC, to be made available for testimony at a hearing to be held this week. On roll call vote, motion carried unanimously.
10. **SOCIAL SERVICE ISSUES, Support of basic care legislation**
Kathy Hogan reported on four bills she intends to follow during the legislative session.
- 1) Multi-county agency--she doesn't see this having a significant impact.
 - 2) Basic care legislation--wants support of this bill which establishes basic care as a state-wide program with 50% state funding. No state funds in basic care at this time. Commission consensus to ask for 100% state funding.
 - 3) Department of Human Services budget bill--no significant negative impact for next biennium but needs to be monitored.
 - 4) Defines responsibilities of state and county social service boards, what is mandatory and what is optional, to be implemented in 1993. Simple funding package included. Her staff is looking at impact of the bill. Commission asked her to follow this bill very carefully.
MOTION, passed
Mr. Eckert moved and Mrs. Toussaint seconded to support Senate Bill 2032 on the premise that state funding be sought at 100% for basic care services. On roll call vote, motion carried unanimously.
11. **SOCIAL SERVICES, General Assistance residency requirement**

Kathy Hogan asked Mark Boening to draft legislation on the residency requirement under the general assistance policy. She said there is an attorney general's ruling that the current law is unconstitutional.

12. SHERIFF DEPARTMENT, Housecleaning bills

Sheriff Don Rudnick said the State Association of County Sheriff's has five bills before the legislature, which are basically housecleaning bills.

13. CLERK OF COURT, Fees discussed

Mr. Wieland asked Bonnie Johnson to visit with Dorothy Howard, Clerk of District Court, about fees. He thinks counties should be charging more fees.

14. LOBBYING PROCEDURES, Policy reaffirmed

MOTION, passed

Mrs. Toussaint moved and Mr. Eckert seconded to reaffirm Section 2.8, Cass County Personnel Policy Manual as follows: Any employee, other than elected officials, who is involved in lobbying at the State Legislature, shall take annual leave for such activities unless such lobbying has been approved by the Commission. If the Commission is not in session, such lobbying shall be approved by the Commissioner holding that portfolio and reported at the next Commission meeting. And further, all lobbying on behalf of Cass County, whether by employee or elected official, shall be properly documented for necessary reimbursement; and that a resolution pertaining to said policy be submitted to all Cass County departments, along with a 1991 Legislative Lobbying Report form to be completed by departments and turned in each Friday at informal legislative meetings scheduled for 3:30 PM in the Commission Room. On roll call vote, motion carried unanimously.

15. SOCIAL SERVICE DIRECTOR, Lobbying schedule approved

Kathy Hogan requested approval to represent the North Dakota County Social Service Directors Association during the legislative session at least one week and possibly two because there are so many social service bills. She said hearings are usually held 3 days per week. The state association of county social service directors will pay her per diem.

MOTION, passed

Mr. Eckert moved and Mrs. Toussaint seconded to allow Kathy Hogan to participate in testifying before the State Legislature for a maximum of seven days representing Cass County and the State Association of Social Service Directors. On roll call vote, motion carried unanimously.

16. COUNTY COMMISSIONER LOBBYING, Commissioner Wieland's mileage

Mr. Wieland said most of his mileage will be reimbursed by the North Dakota County Commissioner's Association for his lobbying efforts before the State Legislature. He said he will ask that a small percentage be paid by Cass County since it is a benefit to this county as well as other counties.

Mr. Shannon asked that the minutes reflect that Commissioner Alon Wieland will be attending legislative hearings on behalf of Cass County and the

North Dakota County Commissioners Association; and that Cass County allocated a line item in the 1991 budget for some of those expenses.

17. APPROPRIATIONS BILL, Hearing set

Mr. Wieland plans to attend the appropriations bill hearing in Bismarck on January 9th, and he invited other Commissioners and staff to ride with him.

He suggested that Bonnie Johnson and Mike Montplaisir go to Bismarck with him on January 18th for hearing on the funding bill.

18. LEGISLATIVE MEETINGS FRIDAYS, Lobbying procedure to be discussed

Members of the media were informed that legislative meetings will be held Fridays in the Commission Room beginning at 3:30 PM to discuss upcoming bills affecting county departments.

Mr. Wieland suggested talking about the procedure for testifying at the first Friday legislative meeting this week at 3:30 PM.

19. SOCIAL SERVICE BOARD, Appointment of Steve Risher

MOTION, passed

Mrs. Toussaint moved and Mr. Shannon seconded that newly elected Cass County Commissioner, Steve Risher, be appointed to the Cass County Social Service Board effective immediately to replace outgoing Commissioner Oscar Sondrall, who resigned. On roll call vote, motion carried unanimously.

20. ADJOURNMENT

MOTION, passed

On motion by Mr. Shannon and seconded by Mr. Risher, the Chairman declared the meeting adjourned at 5:15 PM.