

**CASS COUNTY SOCIAL SERVICES BOARD MEETING
November 4, 2019**

MINUTES

With quorum present, Chair Peterson called the meeting to order at 2:06 p.m.

Present: Chad Peterson, Duane Breitling, Mary Scherling, Brian Hagen, Rick Steen
Absent: Glenn Ellingsberg,
Presenter: Chip Ammerman, Director; Robert Wilson, County Administrator; Ken Pawluk, Citizen;

I. Approval of Minutes

Ms. Scherling made a motion to approve the September 5, 2019 Board minutes and the October 21, 2019 Special Session minutes. Mr. Breitling seconded it. Motion carried.

Chair Peterson stated that while there was mention of the caseload issues, there was little acknowledgement of the work atmosphere in the October 21, 2019 minutes. He would like that noted. He also asked the minutes be amended to include Sgt. Joel Stading's report. There has been issues in the past locating documentation referenced in Board meetings and he would like to ensure the report can be located in the future.

Mr. Steen made a motion to amend the minutes with the attachment per Chair Peterson's suggestions. Mr. Breitling seconded it. On a roll call vote, the Motion passed unanimously.

Chair Peterson asked Board members if there was anything additional to be added to this meeting's agenda. Ms. Scherling made a motion to amend the agenda to include 5a regarding OPS/CPS Report. Mr. Steen seconded it. Motion carried.

II. Zone Plan Update

Mr. Ammerman explained updates were made to the Human Service Zone Agreement after receiving direction from the Department of Human Services (DHS). The additions are indicated in red with the deletions being struck through. He asked for direction from the Board as to whether they would prefer the name of the zone be Cass Human Service Zone or Cass County Human Service Zone. Members agreed that it could stay as Cass County Human Service Zone.

Upon review of the Zone Board, Judy Lee, Ruth Buffalo, and Kristin Roers have all been contacted and indicated interest in being on the Board. Senator Lee suggested additional members to include might be law enforcement, judiciary members, local provider network, etc. in order to broaden the board. Chair Peterson has made contact to Ben Koppelman but has yet to hear back from him. He indicated he had been contacted by a few community members showing interest in being a part of the Zone Board as well.

Mr. Steen requested Vern Bennett be replaced by Mr. Ken Pawluck. He also noted that in his experience, when having larger boards, it is more difficult to have a quorum. He questioned if there was any latitude on defining a quorum for the Zone Board or if it would not matter because it is advisory only. Chair Peterson believed the Board would yield to regular statute, meaning 50% of the Board present. Chair Peterson understood Mr. Steen's point but would like to continue the idea of doing it how it is done currently so there continues to be a voice and formal recommendation to the Commission. From Mr. Ammerman's understanding, the role of the Board is advisory but it still has responsibilities to give recommendations to the Commission, who then makes recommendations to the State, for budgetary items, change in programming that is not mandated, and services necessary for our community. A quorum would still need to

be in place. Mr. Steen would like to still follow-up on the latitude of defining a quorum. Mr. Ammerman will follow-up with Birch Burdick, State Attorney, regarding this.

Ms. Scherling questioned the names listed in the agreement and possible changes that may occur prior to the agreement being submitted. Mr. Ammerman explained the agreement is due on December 1, 2019, so it would be whatever is in place as of that date or prior to that date. It is Mr. Ammerman belief that changes could be made to the Board after that date with the understanding there will be certain protocols to be followed. Ms. Scherling feels there may be success in getting Board members that are professionally engaged with Social Services, but difficult to engage citizens. Mr. Ammerman reported this agreement must be submitted before December 1, 2019 and it must have specified people on the proposal.

Chair Peterson asked Mr. Ammerman if he had spoken with Representative Buffalo directly. Mr. Ammerman stated she has confirmed in an email but has not made the request for a phone call. Senator Roers has confirmed. Ms. Scherling also suggested Ben Hanson. Commission Steen pointed out that Senator Lee suggested going beyond elected officials yet there continues to be discussion regarding adding elected officials. Chair Peterson also mentioned Senator Lee suggested someone from Lutheran Social Services.

Chair Peterson suggested striking Senator Lee's name from the Zone Board; however, when Mr. Ammerman spoke with Senator Lee a little over a week ago, she was interested in being a participant, recognizing she was going to be gone for approximately six weeks in January, but would commit to the Board. Mr. Steen sought clarification on how the Board members would be approved since there will not be another meeting until after December 1, 2019. Chair Peterson suggests the list stays as written and be submitted.

Ms. Scherling suggested a township officer or mayor from the other end of the county would offer a good perspective as well. Chair Peterson has reached out to some but for now feels the list be submitted as is.

Mr. Ammerman continued explaining changes to the wording regarding travel reimbursement, which will be changed to maintain consistency with State travel; that indirect costs will be paid per the North Dakota Century Code based on a formula established by DHS; and Mr. Ammerman will be the interim Zone Director until a new Zone Director is hired after January 1, 2020.

Mr. Breitling made a motion to strike the January 1, 2020 date and replace with December 1, 2019. Motion failed due to no second.

Mr. Steen stated he did not necessarily disagree with the motion but if the agreement has to be submitted by December 1, 2019, a final decision will be made at some point since the agreement has to be submitted by that date, which was his concern with the motion. Mr. Breitling stated special meetings could be held prior to that date as there are other agenda items to be addressed today, which is why he suggested the change. Chair Peterson reiterated the Board would amend what is there now with the intent of having it done by December 1, 2019 unless it was discussed at a special meeting prior to the November 18, 2019 meeting. Mr. Steen followed up questioning if this would be decided once the agreement is submitted prior to December 1, 2019, stating the form cannot be submitted until the Board approves it. Chair Peterson stated that is correct; however, the State is requesting the agreement is received by them by December 1, 2019 and he has concerns of ramifications if the deadline is not met. Mr. Steen clarified his intent is to submit it by December 1, 2019 but questions at what point does it have to be completely filled in before it is submitted. Chair Peterson stated November 29, 2019. Mr. Ammerman confirmed this.

Mr. Ammerman continued, stating letter "I" was an addition the state is requiring, which is not any different than current protocol. The Zone Agreement letter had no changes besides the addition of staff requests, which were approved during preliminary budget discussion. Mr. Ammerman also indicated the inclusion of the Informal Conference Procedures, which must be included to identify the grievance process. Ms. Scherling questioned if this process varied from the current process. Mr. Ammerman stated it is similar except the director would not become involved until it has gone through the supervisor and divisional manager unless there was an ethical violation.

Mr. Steen asked who would sign and submit the Zone Board Plan. Mr. Ammerman reports it would be the head of the Commission.

Mr. Hagen requested clarification regarding the additions of staff and if it has been reviewed by the Commission. Mr. Ammerman clarified that the Social Service Budget does not have to be submitted directly to the State until November 22, 2019. The Commission had to approve the indirect costs being paid through the County Budget.

Mr. Steen made a motion at the discretion of the Chair of the County Commission to submit the Zone Agreement in a timely manner so it arrives to the state prior to December 1, 2019. Mr. Breitling seconded. Motion passed.

Ms. Scherling questioned if this should go to the Cass County Commission for approval. Chair Peterson would prefer that, which aligned with Mr. Steen's intent. Ms. Scherling stated the Commission's agenda on November 18, 2019 be amended to include the review and discussion of the Cass County Zone Agreement.

Mr. Steen made a motion for the amendment to the Commission Agenda per Ms. Scherling's recommendation. Mr. Breitling seconded. On a roll call vote, motion passed unanimously.

III. CPS Plan Update

Mr. Ammerman provided the Board with an update along with recommendations by Robert Wilson, County Administrator. Mr. Ammerman reported the managers and supervisors have attended an Organizational Trauma educational session. They are in the process of evaluating what the needs are and how some of the suggestions and ideas can be implemented to provide support to our staff. Steps have also been taken to alleviate disruptions during meetings and allowing adequate time to staff cases. Mr. Ammerman then deferred to Mr. Wilson.

Mr. Wilson referred to the emailed memorandum from October 29, 2019 outlining follow-up actions. His intent of the memo was an attempt to record some of the ideas discussed at the October 21, 2019 meeting. His reason in bringing this back to the Board was to clarify options and actions to be taken.

Mr. Hagen questioned the status of a cultural survey. Mr. Wilson stated this was one area he sought clarification as he was not clear on the timelines and if it should be an internal or external survey. Mr. Hagen explained in his experience, it should be done in each division to obtain a baseline. He reports different firms and entities that could do that. The information would be anonymous and shared with only certain people. Mr. Steen feels it would be worthwhile to move forward with some type of survey as well, but asks what the best timeline would be. He suggests reviewing if the work plan will provide the results. In order to gauge that, an external review would receive more objective feedback versus internal and prefers it be done sooner rather than later.

Ms. Scherling questioned how the Board's role and input will change between now and April 1, 2020 when the Zone Board is implemented. Chair Peterson feels the role will change substantively due to funding. Presently, the Board could hire someone with minimal input from the State. Once DHS takes over funding, anything outside the normal expenditures will have to be approved by the State. Mr. Ammerman suspects that if we were to do anything outside the normal budget, the Board would have to look at another source of funding for the expense, such as the General Fund. Mr. Wilson clarified that all references are before and/or after December 31, 2019 rather than April 1, 2020 so the December date should be taken into consideration.

Mr. Steen believed any type of survey could be done that the host county was willing to fund. Chair Peterson confirmed this as long as the funding was not from the Social Service Budget. Mr. Steen acknowledged Ms. Scherling's point that receiving results months from now would not be beneficial. Mr. Steen appreciates the work plan that has been created but does not believe a Letter of Reprimand is the right direction due to the expectations in the work plan. He feels there should be some type of Performance Improvement Plan that is monitored and reviewed on a fairly timely basis.

Mr. Hagen felt the Board is obligated to assist staff in trying to figure out the issues regarding the concerns of culture and work environment and believes action should be taken in the next 45 days. He suggested using Survey Monkey or other companies that use that process to point out a starting point, but he is not sure how it would be monitored without doing something fairly quickly. He is concerned that if the Board and agency were to not do anything when the vast majority have raised concerns, something should be figured out. Mr. Ammerman asked for clarification if it should be the specific unit. Mr. Hagen stated it would, but normally the entire Social Services would be surveyed in order to pinpoint the focus. He suggests many times it can be fixed by training, direction, etc.

Ms. Scherling asked Mr. Wilson if he discovered any services that could be utilized with a quick turnaround department wide. Mr. Wilson reports this continues to be a work in progress. He made contact with a local law firm; however, due to their schedules, they were unable to accept. Mr. Wilson has additional names outside the legal realm that have experience with employment investigations, but reports he is not as far along as he had hoped. Ms. Scherling feels this would be worthwhile, but states it needs to be timely and provide actionable results. Addressing this as soon as possible is important as it would not be fair to pass this on to the State to address nor is it fair to staff to prolong the process.

Mr. Steen made a motion to have the Social Service Board Chair work with Administration and Human Resources (HR) to develop a Performance Work Plan for Mr. Ammerman, Linda Dorff, Tamera Anderson, and Rick VanCamp. The Performance Improvement Plan progress will be reviewed within the next 90 days. Ms. Scherling seconded.

In discussion, Chair Peterson asked Mr. Ammerman how much HR has been engaged in developing his current work plan. Mr. Ammerman has spoken with them, but they were not actively involved. Chair Peterson suggested Mr. Ammerman use the HR Department for all his HR needs. Mr. Ammerman clarified that in the past, if there have been issues regarding behavior or conduct, HR has been consulted. Mr. Ammerman has spoken generally with Mr. Wilson throughout the development process. Mr. Wilson confirmed this. Chair Peterson would like to see Mr. Ammerman engage more with Mr. Wilson and the HR Department.

Ken Pawluk referred to Mr. Wilson's email from October 29, 2019 regarding staff requesting to address the Board and Mr. Wilson feeling it was not appropriate. Mr. Pawluk questioned if any Board members have had the opportunity to hear from the employees. Chair Peterson states he

has had conversations with prior employees, but nothing recently. Mr. Wilson reported meeting with a group of employees from the CPS Unit. He was asked if staff would have the opportunity to address the Board. His response was that he did not feel it was appropriate at this meeting, but if they had written comments or statements, he would provide them as part of the agenda packet. He did not receive anything after that meeting, but reports receiving emails and invites to meetings, of which he attended, in the past. Mr. Breitling stated he had the opportunity to meet with Sgt. Joel Stading and review his report. Mr. Breitling felt he had a better understanding after that meeting.

With no further discussion, motion carried.

Mr. Steen made a motion to authorize Mr. Wilson to move forward with engaging an entity to conduct a survey with appropriate, open-ended questions in order to provide the Board with more information regarding cultural and work environment. Ms. Scherling seconded.

Chair Peterson asked Cindy Stoick, Human Resource Director, how much effort has been put into the search to assist with the survey. She stated there are four contacts on the list but engagement has been little at this point as they sought more direction from the Board. Mr. Wilson added he has made a couple calls and eliminated one individual, but then received an additional reference, so there continues to be four groups to contact. Mr. Steen would like to see the survey focal point be Family Service experiences different issues, which would make it difficult to identify which division is being affected. Chair Peterson's concern is the lack of timeliness and suggested the immediate focus be CPS so a baseline can be created and progress tracked. Ms. Scherling approved of Mr. Steen's suggestion of expanding the survey group for more accuracy, but recalled a complication with the sergeant's survey was to address a hostile work environment, which is a legal term and very specific. She feels the questions asked in the survey needs to have thought put into them as nothing illegal was found. The type of service and solutions that could be provided from the survey should be considered when determining the questions for the survey.

Mr. Breitling asked Mr. Ammerman about the organization of the CPS division. Mr. Ammerman corrected him in saying Family Service is the division and CPS, or Child Welfare, is a unit within the Family Service Division, along with Case Management and Program Licensing. Mr. Breitling questioned there being six supervisors under CPS. Mr. Ammerman stated there are six supervisors under the Family Services Division: two under CPS; four under Case Management and Program Licensing; one manager that oversees all six supervisors; and Mr. Ammerman, who oversees all staff. Upon Mr. Breitling's request, Mr. Ammerman provided him with the names of all Family Service supervisors' names, confirming each has between six to ten staff. Mr. Breitling asked if there was any explanation as to why only two of the six supervisors appear in the Sheriff's Report. Mr. Ammerman stated the report originated within the CPS Unit did not believe anyone from Case Management was included in the inquiry. Mr. Breitling asked if he thought it was because the other supervisors were acceptable to staff. Mr. Ammerman stated he had received some concerns about their actions. Mr. Breitling asked if that information was placed in their files. Mr. Ammerman stated it had not because it did not rise to the level of needing to be documented.

Ms. Scherling asked about any ongoing concerns in Economic Assistance that had been previously reported. Mr. Ammerman stated there are frequent concerns about the interactions between many staff in that department. Ms. Scherling questioned if that department would benefit from further surveying. Mr. Ammerman reported feeling the whole agency would benefit. Again, many times not rising to the level of putting a written reprimand in the files.

After no further discussion, motion passed.

Chair Peterson acknowledged the time and the Commission Meeting that takes place right after this meeting but Ms. Scherling approved the continuation of the current discussion. Chair Peterson felt that from his perspective, this has been incredibly uncomfortable for many within the County. His concern continues to be expediency and not having a starting point. He feels Mr. Ammerman has not worked closely enough with HR and that HR needs to interject and lead Mr. Ammerman in their area of expertise. It will help establish a baseline prior to the survey and give a starting point for the work plans. Chair Peterson states that if Letters of Reprimand have not been put into the files yet, that needs to be done. He voiced his frustration and disappointment with Ms. Dorff's absence at the October 21, 2019 meeting. He hoped management apologized to staff for their behaviors and taken ownership for what they have done, acknowledging the problem but fears this has not happened. He encouraged Mr. Ammerman and the leadership team to sit down with staff and apologize for what has happened.

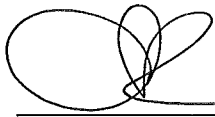
Chair Peterson restated Ms. Scherling's request to add 5a to the agenda and asked if the meeting has sufficiently addressed this. She confirmed it has with Mr. Steen's recommendations. She inquired if there needs to be a formal vote to recommend Letters of Reprimand or if that was something Mr. Wilson would work with Mr. Ammerman on. Mr. Wilson saw that being covered within Mr. Steen's first motion.

IV. Operations Report

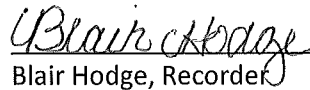
Mr. Steen asked to defer the Operations Report until the next meeting due to the time. Mr. Ammerman was in agreement with this.

V. Adjournment

Ms. Scherling made a motion to adjourn the meeting at 3:15 p.m. Mr. Steen seconded it. Meeting adjourned.



Chad Peterson, Chair
Cass County Social Services Board



Blair Hodge, Recorder