

M E M O



**County
Administrator**

Robert W. Wilson
701-241-5770
wilsonro@casscountynd.gov

TO: County Commissioners/Personnel Overview Committee
FROM: Robert W. Wilson
DATE: September 2, 2020
SUBJECT: Review of Job Descriptions/PAQ's

During the 2021 County Budget hearings the Commission approved a new overall county pay matrix, effective January 1, 2021. The Board also directed Cindy Stoick and I to work with our HR consultant, Gallagher Benefits, to develop or update several other PAQ's.

Two positions, Coroner and Payroll Clerk, are new and required initial PAQ's.

The Commission also directed Cindy Stoick and I to update several other PAQ's because, through the budgeting process, it was determined the County's current grades for the following positions do not align well with the market: County Recorder, Veterans Service Officer, HR Director and IT Director.

Our office received the updated PAQ's and submitted them to Gallagher for review. These will be presented to the POC and Commission for consideration on Tuesday, September 8th. Please review the attachments and information below related to specific positions:

Coroner:

New position
Grade Recommendation: D62 (\$71,452-\$107,176)
Based on job description prepared by former Coroner Dr. Baird for full-time position.

Payroll Clerk:

New position
Grade Recommendation: B23 (\$41,735-\$57,637)
Based on job description prepared by HR Director after reviewing description for numerous other similar positions.

Veterans Service Officer:

Current Grade: C42 (\$54,411-\$78,291)
Grade Recommendation: D61 (\$68,565-\$102,854)
Based on Commission direction to review. This is a department Head position with the managerial and budgeting responsibilities that go along with a director position.

Human Resources Director:

Current Grade: D61 (\$68,565-\$102,854)
Grade Recommendation: D62 – later updated to D63 (\$74,325-\$111,490)
Based on the fact this position is currently 34.45% below market median and Commission direction to reduce this discrepancy in addition to the matrix adjustment.

PO Box 2806
211 Ninth Street South
Fargo, North Dakota 58108

www.casscountynd.gov

September 2, 2020

Page 2

Information Technology Director:

Current Grade: D63 (\$74,325-\$111,490)

Grade Recommendation: D64 – later updated to D72 (\$82,249-\$123,379)

Based on the fact this position is currently 21.45% below market median and Commission direction to reduce this discrepancy in addition to the matrix adjustment.

County Recorder:

Current Grade: D61 (\$68,565-\$102,854)

Grade Recommendation: D62 (\$71,452-107,176)

Based on the fact this position is currently 16.72% below market median and Commission direction to reduce this discrepancy in addition to the matrix adjustment. This move also sets the grade of this position equal to the Tax Equalization Director, arguably the most similar position within the County.

SUGGESTED MOTION:

Move to accept the PAQ recommendations of Gallagher Benefits and incorporate the position grades into the County pay matrix effective January 1, 2021.

2021 pay projections	2020 Salary	2021 Projection w/ New Payscale	2021 w/ regrade to D61	Additional Dollars for 2021
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Veteran's Service Officer				
	C42 Step 5 VSO	C42 Step 4	D61 Step 1	
Gross Wages	\$62,367	\$64,667	\$72,443	
Benefits				
Social Security	3,866.75	4,009.35	4,491.47	
Medicare	904.32	937.67	1,050.42	
NDPERS	7,646.19	7,928.17	8,881.51	
Dental	\$0.00	\$0.00	\$0.00	
Health - Family	\$0.00	\$0.00	\$0.00	
Life Insurance	\$3.36	\$3.36	\$3.36	
Worker's Comp	94.56	94.56	94.56	
Total Benefits	\$12,515.19	\$12,973.12	\$14,521.32	
Annual Salary & Benefits	\$74,882.19	\$77,640.12	\$86,964.32	\$9,324.20

County Recorder				
	D61 Step 4 Recorder	D61 Step 3	D62 Step 4	
Gross Wages	\$75,918	\$80,207	\$85,060	
Benefits				
Social Security	4,706.92	4,972.83	5,273.72	
Medicare	1,100.81	1,163.00	1,233.37	
NDPERS	9,307.55	9,833.38	10,428.36	
Dental	\$240.00	\$240.00	\$240.00	
Health - Family	\$11,808.00	\$11,808.00	\$11,808.00	
Life Insurance	\$3.36	\$3.36	\$3.36	
Worker's Comp	94.56	94.56	94.56	
Total Benefits	\$27,261.19	\$28,115.13	\$29,081.37	
Annual Salary & Benefits	\$103,179.19	\$108,322.13	\$114,141.37	\$5,819.23

Human Resources Director				
	D61 Step 5 HR Director	D61 Step 4	D63 Step 3	
Gross Wages	\$78,370	\$82,794	\$87,293	
Benefits				
Social Security	4,858.94	5,133.25	5,412.17	
Medicare	1,136.37	1,200.52	1,265.75	
NDPERS	9,608.16	10,150.59	10,702.12	
Dental	\$240.00	\$240.00	\$240.00	
Health - Family	\$6,168.00	\$6,168.00	\$6,168.00	
Life Insurance	\$3.36	\$3.36	\$3.36	
Worker's Comp	94.56	94.56	94.56	
Total Benefits	\$22,109.39	\$22,990.28	\$23,885.96	
Annual Salary & Benefits	\$100,479.39	\$105,784.64	\$111,178.96	\$5,394.32

IT Director				
	D63 Step 14 IT Director	D63 Step 8	D72 Step 7	
Gross Wages	\$100,870	\$103,411	\$109,863	
Benefits				
Social Security	6,253.94	6,411.48	6,811.51	
Medicare	1,462.62	1,499.46	1,593.01	
NDPERS	12,366.66	12,678.19	13,469.20	
Dental	\$240.00	\$240.00	\$240.00	
Health - Family	\$0.00	\$0.00	\$0.00	
Life Insurance	\$3.36	\$3.36	\$3.36	
Worker's Comp	94.56	94.56	94.56	
Total Benefits	\$20,421.14	\$20,927.05	\$22,211.64	
Annual Salary & Benefits	\$121,291.14	\$124,338.05	\$132,074.64	\$7,736.59

Total Add'l Cost	\$28,274.35
Allocated in Budget	\$ 100,000.00
Unallocated balance	<u>\$71,725.65</u>



Gallagher

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August 19, 2020

Ms. Cindy Stoick
HR Director
Cass County
211 Ninth Street South
Box 2806
Fargo, ND 58108

Dear Ms. Stoick:

We received the PAQs for three positions to determine the appropriate evaluations. We reviewed the PAQs as well as the County's overall DBM hierarchy to ensure equity was maintained among all jobs. Our recommendation for the evaluation of this classification can be found on the following pages.

Position Title	Current Grade	Recommend Grade
County Recorder	D61	D62
IT Director	D63	D64
Human Resources Director	D61	D62

We look forward to assisting the County with any job evaluation or compensation needs it may have in the future. If you have any questions, or wish to see additional documentation, please do not hesitate to contact August Zhu at (651) 234-0844.

Sincerely,

Mike Verdoorn
Principal Consultant
Arthur J. Gallagher & Co.
Human Resources & Compensation Consulting



Gallagher

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Position: County Recorder

COMMENTS:

The position is currently rated D61.

The County Recorder is responsible for managing the overall operations of the County Recorder's Office by developing and implementing policies and procedures, developing and managing department budget, and providing leadership to employees in the department.

We have examined the essential duties and have classified the position using the Decision Band Method (DBM). The job evaluation shows the following:

Highest Banded Task: D6
Number of Highest Banded Tasks: 3/5
Percent of Time on High Banded Tasks: 57.5%
Degree of Difficulty/Diversity: Moderate

The classification performs tasks that require "interpretive" decision making, such as: establishing and maintaining process and procedures for the department; developing and managing department budget; leading the department in daily operations and special projects; and advising on legislation that may affect the department.

Overall, this classification has the responsibility to interpret the needs of the organization into plans and implement the plans, determine resources available, and deploy resources as necessary to achieve goals and plans.

The classification receives a subgrade of two (2), because of moderate complexity and diversity of the D6 tasks in relation to other jobs in the same band. The appropriate grade for this position should be D62.





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Position: IT Director

COMMENTS:

The position is currently rated D63.

The IT Director is responsible for providing County-wide strategic direction and leadership regarding for all areas of information and communication technologies.

We have examined the essential duties and have classified the position using the Decision Band Method (DBM). The job evaluation shows the following:

Highest Banded Task: D6
Number of Highest Banded Tasks: 5/5
Percent of Time on High Banded Tasks: 100%
Degree of Difficulty/Diversity: High

The classification performs tasks that require “interpretive” decision making, such as: establishing and approving IT policy and direction regarding all aspects of information technology; establishing organizational and functional responsibilities, objectives, personnel, and workload management; providing overall management of the IT Governance processes; and creating IT enterprise risk management strategy, policies, and standards for the County.

Overall, this classification has the responsibility to interpret the needs of the organization into plans and implement the plans, determine resources available, and deploy resources as necessary to achieve goals and plans.

The classification receives a subgrade of four (4), because of high complexity and diversity of the D6 tasks in relation to other jobs in the same band. The appropriate grade for this position should be D64.



Position: Human Resources Director

COMMENTS:

The position is currently rated D61.

The Human Resources Director is responsible for managing the overall provision of Human Resources services, policies, benefits, and programs for the County.

We have examined the essential duties and have classified the position using the Decision Band Method (DBM). The job evaluation shows the following:

Highest Banded Task: D6
Number of Highest Banded Tasks: 3/7
Percent of Time on High Banded Tasks: 60%
Degree of Difficulty/Diversity: Moderate

The classification performs tasks that require “interpretive” decision making, such as: planning, coordinating, administering, and evaluating short and long term goals, programs, systems, and standards; planning, researching, and managing departmental projects; and directing compensation and benefit programs for the County.

Overall, this classification has the responsibility to interpret the needs of the organization into plans and implement the plans, determine resources available, and deploy resources as necessary to achieve goals and plans.

The classification receives a subgrade of two (2), because of moderate complexity and diversity of the D6 tasks in relation to other jobs in the same band. The appropriate grade for this position should be D62.



Gallagher

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August 13, 2020

Ms. Cindy Stoick
HR Director
Cass County
211 Ninth Street South
Box 2806
Fargo, ND 58108

Dear Ms. Stoick:

We received the PAQs for three positions to determine the appropriate evaluations. We reviewed the PAQs as well as the County's overall DBM hierarchy to ensure equity was maintained among all jobs. Our recommendation for the evaluation of this classification can be found on the following pages.

Position Title	Current Grade	Recommend Grade
Veteran's Service Officer	C42	D61
Coroner	New Position	D62
Payroll Clerk	New Position	B23

We look forward to assisting the County with any job evaluation or compensation needs it may have in the future. If you have any questions, or wish to see additional documentation, please do not hesitate to contact August Zhu at (651) 234-0844.

Sincerely,

Mike Verdoorn
Principal Consultant
Arthur J. Gallagher & Co.
Human Resources & Compensation Consulting



Position: Veteran's Service Officer

COMMENTS:

The position is currently rated C42.

The Veteran's Service Officer is responsible for leading and managing the department to serve the veteran community by overseeing the operation of office staff, preparing departmental budget, and providing direct services to the veteran community.

We have examined the essential duties and have classified the position using the Decision Band Method (DBM). The job evaluation shows the following:

Highest Banded Task: D6
Number of Highest Banded Tasks: 1/4
Percent of Time on High Banded Tasks: 30%
Degree of Difficulty/Diversity: Low

The classification performs tasks that require "interpretive" decision making, such as: managing the development and implementation of department goals, objectives, policies, and priorities; compiling and preparing departmental budget; and overseeing the operation of the department.

Overall, this position is required to interpret and carry out the programs or objectives developed at the higher level.

The classification receives a subgrade of one (1), because of the low complexity and diversity of the D6 tasks in relation to other jobs in the same band. We recommend re-evaluating this position at D61.





Gallagher

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Position: Coroner

COMMENTS:

The position is currently not rated.

The Coroner is responsible for overseeing and providing direction for the office of coroner.

We have examined the essential duties and have classified the position using the Decision Band Method (DBM). The job evaluation shows the following:

Highest Banded Task: D6
Number of Highest Banded Tasks: 2/4
Percent of Time on High Banded Tasks: 60%
Degree of Difficulty/Diversity: Moderate

The classification performs tasks that require “interpretive” decision making, such as: managing the development and implementation of department goals, objectives, policies, and priorities; compiling and preparing departmental budget; planning and meeting with a variety of local, state, and federal agencies to solve problems and improve departmental processes; and overseeing the operation of the department.

Overall, this position is required to interpret and carry out the programs or objectives developed at the higher level.

The classification receives a subgrade of two (2), because of the moderate complexity and diversity of the D6 tasks in relation to other jobs in the same band. We recommend re-evaluating this position at D62.



Position Description

Position: **Cass County Coroner**
Supervisor: Appointed by Cass County Commission
Report to Cass County Administrator
Statute: N.D.C.C. § 11-10-02 says each county must have one coroner
N.D.C.C. § 11-19.1.02 to .03 describes appointment of coroner

Job Summary

Oversee and provide direction for the office of coroner. Follow state statutes and serve the people of Cass County. Maintain an excellently functioning office with outstanding death investigation and good relationships with other agencies.

Scope of Responsibility

Supervise all coroner staff. Assure that all work is done properly with a standard of excellent death investigation which finds appropriate conclusions. Perform some of the active death investigations. Participate in activity expected of a department head, such as preparation of budgets and following of income and expenses, and report to the county administrator and county commission, including rotational meetings. Be responsible as the department lead for interactions with other agencies, such as States Attorney and Sheriff's Offices in the county; law enforcement, public health and other agencies in the cities; the Department of Health, State Medical Examiner, and UND Forensic Pathologists and others at the state; agencies in other counties, states, and at the federal level; as well as other local agencies such as hospitals, funeral homes, ambulance, homeless center, and others. Perform review of staff and have own functioning evaluated periodically.

Essential Duties and Responsibilities

30% - Oversee operations of the coroner's office

- Assure the office facilities and equipment are in proper working order
- Request equipment and budgetary changes as appropriate
- Develop and maintain appropriate protocols and procedures
- Be sure that record keeping systems are appropriate and effectively used
- Support proper communications with agencies involved in investigations
- Maintain relationships with hospitals, law enforcement, funeral homes, forensic pathologists, and all who are involved in investigations
- Monitor activity of the office including statistics and finances
- Prepare and monitor the department budget
- Attend meetings and report to the Commissioners, Administrator, States Attorney, Sheriff, and other department heads

30% - Interact with a variety of agencies

- Plan and meet with a variety of local, state, and federal agencies
- Respond to problems as they arise
- Anticipate how to improve investigations
- Schedule regular meetings with agencies with whom there is the most interaction
- Arrange appropriate educational opportunities for self and staff

20% - Supervise deputy coroners and death investigators

- Train and support deputy coroners and death investigators
- Supervise their administrative activities
- Oversee the investigative work done
- Assure the appropriate follow up and finalization of death investigations
- Provide that 24/7 coverage is done and support that coverage
- Take a portion of the death investigation call
- Evaluate, review, and provide feedback to staff about their performance

20% Respond to and investigate deaths

- Scene investigations
- Photography
- Interview family, witnesses, others involved
- Work closely with law enforcement
- Perform external examination
- Obtain appropriate specimens for toxicology, DNA, fingerprints
- Preserve evidence and use proper chain of custody
- Determine need for an autopsy and communicate with forensic pathologists
- Arrange appropriate transportation
- Document appropriately and use record system
- Arrange final disposition
- Obtain medical records and other information pertinent to the investigation
- Communicate appropriately with families, attorneys, news media, and all involved
- Provide court testimony and depositions when needed
- Determine cause and manner of death
- Sign death certificate

Minimum Qualifications

- Abilities to be a county department head
- Knowledge of federal and state laws, rules and regulations concerning death investigation
- Experience with death investigation

- According to N.D.C.C. § 11-19.1-03 **Eligibility**
 1. Subject to the qualifications, training, and continuing education requirements determined by the state forensic examiner, the following individuals are eligible to serve as coroner:
 - a. A physician licensed under chapter 43-17;
 - b. An advanced practice registered nurse or registered nurse licensed under chapter 43-12.1
 - c. A physician assistant licensed under chapter 43-17; and
 - d. Any other individual determined by the state forensic examiner to be qualified to serve as coroner.

Physical Demands and Working Conditions

- Stand, walk, hand dexterity, reach, stoop, kneel, crouch, crawl, lift, drag, push, squat
- Frequently lift up to 100 lbs. and occasionally more than 100 lbs
- Varies from office setting to climbing ladders and working outdoors in all weather conditions, uneven terrain, crawl spaces and lofts
- Potential exposure to biohazards

Tools, Equipment, Vehicles, and Machines

- Computer software, word processing, spreadsheets and pre-existing databases, printers, fax machines, scanners, tape recorder, cameras, communication equipment
- Autopsy equipment including forceps, scalpels, syringes, large gauge needles, saws, finger printing, chemicals, carts and trays, cooler and lift
- Vehicles, gurneys, scene equipment

Review of Work

- Periodic review by Administrator
- Rotational report to Commissioners every 4 months
- Annual budget report to Commission

Laws, Ordinances, or Regulations

- Various federal, other state, and community regulations may apply
- Specifically in North Dakota
 - N.D.C.C. § 11-19.1 Medical County Coroner
 - N.D.C.C. § 23-01-05.4 Department of Health to employ state forensic examiner
 - N.D.C.C. § 44-04-18.18 Autopsy Images – Confidential - Exceptions
 - N.D.C.C. § 23-06 Care and Custody of the Dead

Personal Contacts

There is a long list of personal contacts that must be made and maintained, not limited to these, but including:

- County officials – Commissioners, Administrator, States Attorney, Sheriff, Public Information, and other department heads
- Agencies in Cass County, North Dakota, as well as in other states - law enforcement, county attorney, state forensic medical examiner, forensic pathologists, toxicologists, judicial system, funeral homes, transport agencies, health workers, organ and tissue transplant organizations, fire department, EMS, OSHA, FBI, DEA, Board of Pharmacy, Attorney General's Office, hospitals, school districts, insurance agencies, families, attorneys, news media, and general public

Licenses or certificates

- Current driver's license and defensive driving
- Professional license and certificates
- Ongoing continuing education with major death investigation organizations

Wilson, Robert

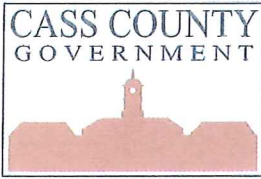
From: Burdick, Birch
Sent: Monday, July 6, 2020 12:32 PM
To: Wilson, Robert
Cc: Baird, John; Peterson, Chad
Subject: Coroner position - brief update
Attachments: 20200706092005723.pdf

Robert:

FYI, I spoke with the ND State Forensic Examiner today regarding our filling coroner position. As to that I provide a few comments, to the extent they may be of value this afternoon and going forward:

- Background:
 - ND's "forensic examiner" retired (for the most part) in early 2019.
 - However, he continued on part time while ND Dept of Health conducted an extensive search for a replacement.
 - In the meantime, Dr. Sens up at UND served as our medical examiner doing autopsies for the eastern 1/3 of ND (and I presume will continue to do so)
 - On July 1, 2020, Dr. Barrie Miller was hired by the Department of Health as the new State Forensic Examiner.
 - NDCC 11-19.1-04 says she is the one who can determine who might be qualified to serve as coroner
 - It specifically lists doctors, RNs or advanced practice RNs, Pas, or "any other individual" determined by the state forensic examiner to be qualified
- Her thoughts on those qualifications:
 - Don't get hung up on "degrees"
 - Medical training for doctors, nurses, PAs has almost nothing to do with death investigations ... not taught in med school (for example)
 - Death investigators in coroner's office at the "eyes and ears" of the ME at the scenes (together with info from law enforcement) b/c the ME does not go to the scene
 - Here are things she thinks are important to look for in a coroner:
 - Experience
 - Interest in the work
 - Training in death investigation (for example, American Board of Medical Death Investigation)

Birch P. Burdick
Cass County State's Attorney
211 9th Street S.
P.O. Box 2806
Fargo, ND 58108-2806
(701) 241-5850



State's Attorney

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Derek K. Steiner

Robert C. Vallie

Victim/Witness Coordinators:

Brenda Olson-Wray

Debbie Tibiatowski

Amy Getz

Check Division/ Restitution:

Charlotte Eversvik

Casidy Heilman

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211 Ninth Street South
Fargo, North Dakota 58108

PH: 701-241-5850

Fax: 701-241-5838

July 6, 2020

VIA E-MAIL AND U.S. MAIL
NDMEOffice@nd.gov

North Dakota State Forensic Examiner's Office
2637 East Main Avenue
Bismarck, ND 58501

Re: Eligibility criteria for county coroner

Dear Dr. Miller:

Welcome to North Dakota and your new position. I recognize you have just begun in this new role. I am sending you this letter at the direction of Kirby Kruger, with whom I spoke near the end of June.

Cass County is the most populous county in North Dakota, located at the eastern edge of the state and home to Fargo, the largest city in the state. On June 29, Dr. John Baird submitted a letter of retirement, effective August 31, after having served as Cass County coroner for 37 years.

North Dakota Century Code (NDCC) Chapter 11-19.1 (copy enclosed for your convenience) addresses the county coroner position. The law requires Cass County to have a coroner. NDCC §11-19.1-02. If the position becomes vacant due to resignation, the county commission shall appoint a "qualified individual to fill the vacancy". NDCC §11-19.1-03. According to the Century Code, the following individuals are eligible to serve as coroner. NDCC §11-19.1-04.

- Physician licensed under NDCC Chapter 43-17;
- Advanced practice registered nurse or registered nurse licensed under NDCC Chapter 43-12.1;
- Physician assistant licensed under NDCC Chapter 43-17; or
- "Any other individual determined by the *state forensic examiner* to be qualified to serve as coroner".

Our county commission will soon begin a process to appoint Dr. Baird's replacement. In order to help advise my commission on the options available to them under North Dakota law, with this letter I seek your input into what qualifications are necessary for the "any other individual" category (last bullet above).

I welcome your input in this regard at your earliest opportunity, so that we might timely fill this pending position.

If it is of benefit to you, I would glad discuss this with you via telephone (701) 241-5850. I may also be reached via email: burdickb@casscountynd.gov.

Thank you for your consideration of this request.

Sincerely,



Birch P. Burdick
Cass County State's Attorney

Enclosure: NDCC Chapter 11-19.1

Cc: John Baird, MD, Cass County Coroner (via -mail)
Kirby Kruger, ND Dept. of Health, Chief, Medical Services
Division

BPB/lr

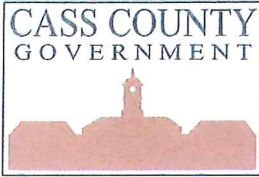
Wilson, Robert

From: Burdick, Birch
Sent: Monday, June 29, 2020 6:25 PM
To: Wilson, Robert
Cc: Baird, John; Jahner, Jesse
Subject: Coroner retirement, filling coroner position
Attachments: 20200629180047378.pdf

Robert:

Here is a brief memo, and related enclosures, addressing the statutory requirements relating to filling the coroner position. Based upon prior conversation with Dr. Baird, I understand neither of the two local medical systems have shown an interest in serving as coroner. As noted in the enclosure, a coroner does not need to be a physician. In North Dakota people with widely differing backgrounds serve as such. If the commission were to select someone other than a physician, RN or PA, then we will want to obtain input from the state forensic examiner as to acceptable qualifications for that position. My discussions with the Department of Health led me to believe that we have at least one person (and perhaps more) currently working for Dr. Baird that should be eligible. That said, a new state forensic examiner starts on July 1. I will reach out to her for clarity as to qualifications, because it is her call. However, I don't know how quickly she will be able to respond given that she probably doesn't even know where the washroom is yet. ~Birch

Birch P. Burdick
Cass County State's Attorney
211 9th Street S.
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Fargo, ND 58108-2806
(701) 241-5850



MEMORANDUM

State's Attorney

Birch P. Burdick

Assistant State's Attorneys:

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Robert C. Vallie

Victim/Witness Coordinators:

Brenda Olson-Wray

Debbie Tibiatowski

Amy Getz

Check Division/ Restitution:

Charlotte Eversvik

Casidy Heilman

Box 2806

211 Ninth Street South

Fargo, North Dakota 58108

PH: 701-241-5850

Fax: 701-241-5838

TO: Robert Wilson
Cass County Administrator

FROM: Birch P. Burdick
Cass County State's Attorney

DATE: June 29, 2020

RE: Coroner retirement, filling coroner position

With Dr. Baird's letter today announcing his August 31 retirement, here is some information pertaining to filling that position.

- **Coroner required:** Organized counties, like Cass, must have a coroner. NDCC §11-19.1-02.
- **Appointment/vacancy:** The county commission appoints the coroner. If the position becomes vacant due to resignation, the county commission shall appoint a "qualified individual to fill the vacancy". NDCC §11-19.1-03.
- **Eligibility:** The following individuals are eligible to serve as coroner. NDCC §11-19.1-04.
 - Physician licensed under NDCC Chapter 43-17;
 - Advanced practice registered nurse or registered nurse licensed under NDCC Chapter 43-12.1;
 - Physician assistant licensed under NDCC Chapter 43-17; or
 - "Any other individual determined by the *state forensic examiner* to be qualified to serve as coroner". (As I understand it, people with a wide variety of backgrounds have been considered "qualified" to serve as coroners in the past in North Dakota.)
- **State forensic examiner:** North Dakota's state forensic examiner (aka medical examiner) comes under the oversight of the Department of Health (DOH). The state forensic examiner retired in 2019, but has continued to work part time. However, DOH has hired a new state forensic examiner who starts July 1. Based upon my recent discussion with DOH, Cass County should contact the new forensic examiner to determine what kind of credentials she will consider as *qualifying* to serve as coroner. (Accordingly, I will contact her office seeking guidance later this week.)
- **In absence of coroner:** If a coroner is unavailable for a period of time, the coroner's duties "must" be performed by the Sheriff, the state highway patrol, or any special agent of the bureau of

criminal investigation. NDCC §11-19.1-06. Presumably, this would apply in a situation where an existing coroner retires before the county commission can appoint a qualified replacement.

If further questions arise relating to filling the coroner position, please let me know.

Enclosure: statutes referenced above

Cc: Cass County Sheriff (w/enclosures)
Cass County Coroner (w/enclosures)

CHAPTER 11-19.1 MEDICAL COUNTY CORONER

11-19.1-01. Definitions.

As used in this chapter, unless the context otherwise requires:

1. "Autopsy" means the inspection or dissection of a deceased human body and retention of organs, tissue, or fluids for diagnostic, educational, public health, or research purposes.
2. "Casualty" means death arising from accidental or unusual means.
3. "City" means a city organized under the laws of this state.
4. "Physician" includes physicians and surgeons licensed under chapter 43-17.
5. "Reportable circumstances" includes one or more of the following factors:
 - a. Obvious or suspected homicidal, suicidal, or accidental injury;
 - b. Firearm injury;
 - c. Severe, unexplained injury;
 - d. Occupant or pedestrian motor vehicle injury;
 - e. An injury to a minor;
 - f. Fire, chemical, electrical, or radiation;
 - g. Starvation;
 - h. Unidentified or skeletonized human remains;
 - i. Drowning;
 - j. Suffocation, smothering, or strangulation;
 - k. Poisoning or illegal drug use;
 - l. Prior child abuse or neglect assessment concerns;
 - m. Open child protection service case on the victim;
 - n. Victim is in the custody of the department of human services, county social services, the department of corrections and rehabilitation or other correctional facility, or law enforcement;
 - o. Unexplained death or death in an undetermined manner;
 - p. Suspected sexual assault; or
 - q. Any other suspicious factor.

11-19.1-02. County coroner.

Each organized county, unless it has adopted one of the optional forms of county government provided by this code, shall have the office of county coroner which said office shall be held by an officer chosen in the manner prescribed in this chapter.

11-19.1-03. Appointment of coroner - Term - Vacancy.

The board of county commissioners shall appoint a coroner for a term of five years. The board shall notify the state forensic examiner in writing of any appointment under this section. If the office of coroner becomes vacant by death, resignation, expiration of the term of office, or otherwise, or if the coroner becomes permanently unable to perform the duties of office, the board of county commissioners shall appoint a qualified individual to fill the vacancy, who shall give and take the oath of office as prescribed for coroners. If the duly appointed, qualified, and acting coroner is absent temporarily from the county or is unable to discharge the duties of office for any reason, the coroner may appoint an individual with the qualifications of coroner to act in the coroner's absence or disability, upon taking the prescribed oath for coroners.

11-19.1-04. Eligibility.

1. Subject to the qualifications, training, and continuing education requirements determined by the state forensic examiner, the following individuals are eligible to serve as coroner:
 - a. A physician licensed under chapter 43-17;
 - b. An advanced practice registered nurse or registered nurse licensed under chapter 43-12.1;

- c. A physician assistant licensed under chapter 43-17; and
 - d. Any other individual determined by the state forensic examiner to be qualified to serve as coroner.
2. The coroner may appoint assistant or deputy coroners subject to the qualifications, training, and continuing education requirements determined by the state forensic examiner.

11-19.1-05. Appointment of assistant.

Repealed by S.L. 2009, ch. 212, § 17.

11-19.1-06. Individuals authorized to act in absence of coroner.

In those counties in which a coroner does not reside or is not available, the duties of coroner must be performed by the sheriff, the state highway patrol, or any special agent of the bureau of criminal investigation. The sheriff, the state highway patrol, or special agent shall call upon the nearest coroner or deputy coroner from an adjacent county to investigate the medical cause of death of all coroner cases within said county. In those situations in which, because of distance or adverse conditions, a coroner is not available, the sheriff, the state highway patrol, or special agent shall request the state forensic examiner or the forensic examiner's designee to investigate and certify as to the medical cause of death.

11-19.1-07. Reports of death - Death of minor.

1. Any person who discovers the deceased human body or acquires the first knowledge of the death of any individual, and any physician with knowledge that an individual died as a result of criminal or violent means, died suddenly when in apparent good health in a suspicious or unusual manner, or died as the result of any other reportable circumstance, shall notify immediately the office of coroner or any law enforcement officer of the known facts concerning the time, place, manner, and circumstances of that death, and any other information that may be required pursuant to this chapter. Any person who violates this section is guilty of a class B misdemeanor.
2. Any person who discovers the deceased human body or acquires the first knowledge of the death of any minor who has received or is eligible to receive a birth record, when the minor died suddenly when in apparent good health, shall notify immediately law enforcement or the office of coroner of the known facts concerning the time, place, manner, and circumstances of the death. The death of a minor must be reported to the department of human services as provided under chapter 50-25.1. The coroner shall take custody of the body and immediately consult with a law enforcement agency. The law enforcement agency shall investigate the death and notify the state's attorney of the findings. The coroner shall notify the state forensic examiner of each such death, and shall provide the state forensic examiner the information concerning the death as the state forensic examiner requires. The coroner or the assistant or deputy coroner shall notify the parent or guardian of a child under the age of one year of the right to the performance of an autopsy, at state expense, as provided by this chapter.

11-19.1-07.1. Willful disturbance of dead body - Penalty.

Any person who:

1. Willfully removes or otherwise disturbs a body which the actor knows died in a suspicious or unusual manner; or
 2. Willfully rearranges, removes, or otherwise disturbs the clothing or other articles on or near a body which the actor knows died in a suspicious or unusual manner,
- without authorization of a coroner or law enforcement officer is guilty of a class A misdemeanor.

11-19.1-08. Records of coroner's office.

The coroner shall keep full and complete records. All records must be kept in the office of the coroner if the coroner maintains an office as coroner. If the coroner maintains no separate office, the records must be kept in the office of the recorder of the county, unless the board of

county commissioners designates a different official. The records must be properly indexed, stating the name, if known, of every deceased individual, the place where the body was found, date of death, cause of death, and all other available information required by this chapter. The report of the coroner and the detailed findings of the autopsy, if one was performed, must be attached to the report of every case. The coroner promptly shall deliver or cause to be delivered to the state's attorney of the county in which a death occurred copies of all necessary records relating to every death in which the coroner or state's attorney determines further investigation advisable. The sheriff of the county, the police of the city, or the state highway patrolmen on duty in that county in which the death occurred may be requested to furnish more information or make further investigation by the coroner or the coroner's deputy. The state's attorney may obtain from the office of the coroner copies of records and other information necessary for further investigation. Except for a report of death and autopsy reports, which may be used and disclosed only as authorized by subsection 4 of section 11-19.1-11, all records of the coroner are the property of the county and are public records.

11-19.1-09. State's attorney may subpoena witnesses.

Repealed by S.L. 1973, ch. 92, § 2.

11-19.1-10. Deceased human bodies to be held pending investigation.

All deceased human bodies in the custody of the coroner must be held until such time as the coroner after consultation with the state's attorney, the police department of the city, the state highway patrolmen on duty in that county, or the sheriff has reached a decision that it is not necessary to hold the body longer to enable the coroner to decide on a diagnosis, giving a reasonable and true cause of death, or that the body is no longer necessary to assist any one of those officials in their duties.

11-19.1-11. Autopsies - Notice of results.

1. The coroner or the coroner's medical deputy, if the coroner deems it necessary, may take custody of the deceased human body for the purpose of autopsy. When the coroner does not deem an autopsy necessary, the sheriff or state's attorney may direct an autopsy be performed.
2. The autopsy must be performed by the state forensic examiner or by the state forensic examiner's authorized pathologist at a facility approved by the state forensic examiner.
3. Upon the death of a minor whose cause of death is suspected by the minor's parent or guardian or the coroner or the coroner's medical deputy to have been the sudden infant death syndrome, the coroner or the coroner's medical deputy, after consultation with the parent or guardian, shall take custody of the body and shall arrange for the performance of the autopsy by the state forensic examiner or a pathologist designated by the state forensic examiner, unless the county coroner, sheriff, state's attorney, and the parent or guardian all agree that an autopsy is unnecessary. The parents or guardian and the state health officer must be promptly notified of the results of that autopsy.
4. A report of death, an autopsy report, and any working papers, notes, images, pictures, photographs, or recordings in any form are confidential but the coroner may use or disclose these materials for purposes of an investigation, inquest, or prosecution. The coroner may disclose a copy of the report of death in accordance with the authority of the state forensic examiner under section 23-01-05.5 and may disclose an autopsy photograph or other visual image or video or audio recording subject to limitations in section 44-04-18.18. The coroner shall disclose a copy of the autopsy report to the state forensic examiner.

11-19.1-12. Coroner may order removal of body.

Where the county does not provide a morgue or morgue facilities for the use of the coroner, the coroner may use existing hospital facilities. When post mortem is completed at county morgue facilities or existing hospital facilities, the coroner after getting expressed order of the

person lawfully entitled to the custody of the deceased person's remains as to the funeral home of the person's choice, shall order the remains released to such funeral home, or the coroner after getting the expressed order of the person lawfully entitled to the custody of the deceased person's remains, as to the funeral home of the person's choice, may order the remains removed to such funeral home and the necessary post mortem conducted there.

11-19.1-13. Cause of death - Determination.

The cause of death, the manner of death, and the mode in which the death occurred must be incorporated in the death certificate filed with the registrar of vital statistics of this state. The term "sudden infant death syndrome" may be entered on the death certificate as the principal cause of death only if the child is under the age of one year and the death remains unexplained after a case investigation that includes a complete autopsy of the infant at the state's expense, examination of the death scene, and a review of the clinical history of the infant.

11-19.1-14. Disinterment of dead bodies.

Whenever in the opinion of the state's attorney and either the sheriff or coroner it is deemed necessary, the state's attorney or coroner shall have authority to order the disinterment of any dead body within their county and to authorize the removal of such body under the supervision of the coroner for the purpose of examination and autopsy.

11-19.1-15. Notice of next of kin, disposition of personal belongings - Disposition of body when next of kin cannot be found.

The coroner of the county in which a death is discovered shall take charge of the case and ensure that relatives or friends of the deceased individual, if known, are notified as soon as possible, giving details of the death and disposition of the deceased individual. If the relatives or friends of the deceased are unknown, the coroner shall dispose of the personal effects and body in the following manner:

1. After using such clothing as may be necessary in the final disposition of the body, the remaining personal effects of the deceased must be turned over to law enforcement for appropriate disposition.
2. The remains must be:
 - a. Disposed of in accordance with section 23-06-14; or
 - b. Otherwise disposed of in accordance with the laws governing the burial of indigent persons within this state.

11-19.1-16. Coroner's fees paid out of county treasury - Fees to be charged by coroner - Duty of county auditor - Certain expenses paid by the state.

1. The fees and mileage as provided by section 11-10-15 allowed to the coroner shall be paid out of the county treasury of the county of residence of the deceased person and the coroner's bill shall be presented to the county auditor and shall be paid upon approval and order of the board of county commissioners.
2. The state department of health shall audit, and if found correct, certify for payment by the state treasurer duly itemized and verified claims of the coroner, the coroner's medical deputy, and pathologist for the necessary expenses incurred or paid in the performance of an autopsy of a child whose cause of death was suspected to have been the sudden infant death syndrome.

11-19.1-17. Application.

The requirements of this chapter apply to every county in this state.

11-19.1-18. State forensic examiner - Authority - Costs.

1. The state forensic examiner may order an autopsy and exercise all powers and authority bestowed upon the office of the coroner and, at any time, may assume jurisdiction over a deceased human body. Whenever requested to do so by the local coroner, acting coroner, or the local state's attorney, the state forensic examiner or the

examiner's designee shall assume jurisdiction over a deceased human body for purposes of investigating the cause of death, the manner of death, and the mode in which the death occurred.

2. Except for the cost of an autopsy performed by the state forensic examiner or the examiner's designee and for the cost of an autopsy, investigation, or inquiry that results from the death of a patient or resident of the state hospital or any other state residential facility or an inmate of a state penal institution, all costs with respect to the autopsy, the transporting of the body for autopsy, and the costs of the investigation or inquiry are the responsibility of the county.

11-19.1-19. Required reports to state forensic examiner.

On the form and in the manner prescribed by the state forensic examiner, the coroner or any individual acting as coroner shall report to the state forensic examiner every death of which the coroner is notified or which the coroner investigates.

11-19.1-20. State forensic examiner - Required consultation.

The coroner or any individual acting as a coroner shall actively consult with the state forensic examiner's office in every death involving an inmate of a state, county, or city penal institution; death involving a child under the age of one when in apparent good health; and death that the coroner or acting coroner believes may have resulted from an accident, a suicide, or a homicide, under suspicious circumstances, or as a result of child abuse or neglect.

Wilson, Robert

Subject: FW: Remainder of the PAQ's (County Recorder, IT Director, HR Director)

From: August Zhu <August_Zhu@ajg.com>

Sent: Monday, August 24, 2020 1:29 PM

To: Mike Verdoorn <Mike_Verdoorn@ajg.com>; Wilson, Robert <WilsonRo@casscountynynd.gov>; Stoick, Cindy <StoickC@casscountynynd.gov>

Subject: RE: Remainder of the PAQ's (County Recorder, IT Director, HR Director)

CAUTION: EXTERNAL EMAIL

Hello Robert,

Thanks for the feedback!

For **HR Director** evaluation, D62 is the common grade used for department head position that leads a small to medium size department at the County, and performs professional (C band) duties for 20%-40% of the time (similar to County Recorder). However, besides the market consideration, the HR Director position does have higher percentage of D band duties than the County Recorder role (over 60% vs. under 60%), thus placing the position to D63 should not cause noticeable internal equity issue. This being the case, we can update the proposed grade from D62 to D63 based on the slight difference in D-band duty percentage.

Alternatively, we can maintain the proposed D62 grade for this position, while implementing temporary D63 range for this position due to the significant market gap identified in the study. The County should have the temporary range reviewed in the next market study (in about 2-3 years) to determine if it should be lifted.

For **IT Director**, due to the high percentage of D-band duties, as well as the size and scope of the function, D65 is a reasonable placement. However, it should be noted that D65 (equivalent to D72) has range higher than **Deputy County Engineer** (D71) by 1 sub-grade. As long as the difference is not considered as a potential internal equity issue, we can update the grade as well.

Or similar to the alternative approach for HR Director, we can keep the proposed D64(D71) grade for IT Director, while implementing D65(D72) range (due to market gap) as temporary grade till next market review.

Please let us know if either of the two approaches works for the County, and we can proceed to update the proposed grade or temporary range(s).

Thanks!

Best,
August

-----Original Message-----

From: Mike Verdoorn <Mike_Verdoorn@ajg.com>

Sent: Monday, August 24, 2020 11:31 AM

To: Wilson, Robert <WilsonRo@casscountynynd.gov>; August Zhu <August_Zhu@ajg.com>; Stoick, Cindy <StoickC@casscountynynd.gov>

Subject: RE: Remainder of the PAQ's (County Recorder, IT Director, HR Director)

Good thoughts Robert. August and I will discuss later today and we can get back to you.

You are correct, might take another conversation with all of us.

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-----Original Message-----

From: Wilson, Robert <WilsonRo@casscountynd.gov>
Sent: Monday, August 24, 2020 10:16 AM
To: August Zhu <August_Zhu@ajg.com>; Stoick, Cindy <StoickC@casscountynd.gov>; Mike Verdoorn <Mike_Verdoorn@ajg.com>
Subject: RE: Remainder of the PAQ's (County Recorder, IT Director, HR Director)

August,

Good morning. Thank you for this feedback. I think the County Recorder position seems appropriate to adjust up one grade to a D62.

However I have some real concerns that increasing the IT Director position and HR Director position by only one grade is going to adequately address the current disparities. These positions are 21% (IT Director) and 34% (HR director) under median. You'll recall it was more important to at least some Board members that these largest pay discrepancies be addressed than the overall matrix adjustment. We need to get these positions closer to median, in a way that is fair and appropriate within the matrix. I'm not sure if this requires some additional discussions - or if you have other suggestions you could propose for these two positions. I look forward to your feedback.

Thanks,
-Robert



Position: Payroll Clerk

COMMENTS:

The position is currently not rated.

The Payroll Clerk is responsible for coordinating all compensation and benefits related processes and providing support to employees and departments by investigating and resolving payroll discrepancies.

We have examined the essential duties and have classified the position using the Decision Band Method (DBM). The job evaluation shows the following:

Highest Banded Task: B2
Number of Highest Banded Tasks: 3/3
Percent of Time on High Banded Tasks: 100%
Degree of Difficulty/Diversity: High

The classification performs tasks that require “operational” decision making, such as: maintaining, calculating, verifying, and updating payroll information; processing annual employee grade and step increases, salary increases, and reclassifications; completing benefits billings and compensation reports; and investigating and resolving payroll discrepancies.

Overall, this position performs responsibilities that require decision about “how” and “when” to perform specified process. The overall process is defined through operational policies, and this position must operate with these established policies, but has the ability to determine the order and the manner in which the steps are carried out.

The classification receives a subgrade of three (3), because of the high complexity and requirement of the B2 tasks in relation to other jobs in the same band. The appropriate grade for this position should be B23.