

CASS COUNTY SOCIAL SERVICES BOARD MEETING

Special Meeting
November 18, 2019

MINUTES

With a quorum present, Commissioner Peterson called the meeting to order at 1:09 p.m.

Present: Chad Peterson, Duane Breitling, Rick Steen, Mary Scherling, Ken Pawluk, Glenn Ellingsberg, Brian Hagen

Also present: Chip Ammerman, Director; Birch Burdick, State's Attorney; Robert Wilson, County Administrator

I. Employment Agreement with Chip Ammerman

Mr. Peterson wanted to clarify before any discussion begins that no one is being fired today. The board will be discussing the Human Service Zone Agreement and Interim Director position. He said other names could be considered, but nothing has been decided.

Mr. Peterson said an employment agreement is in place with Mr. Ammerman. He was not aware of the agreement until recently.

State's Attorney Birch Burdick distributed copies of the agreement, which was signed by Mr. Ammerman and Robyn Sorum, who served as the Social Services Board Chair in 2008. He said the contract does not address Social Services being governed under a county-based system versus a zone-based system.

Mr. Burdick referred to Section 6, Termination, which includes language regarding termination with and without cause. Social Services is part of the North Dakota State Merit System. He said the board should have a protocol in place if they choose to terminate the agreement, which would provide notice and provide an opportunity for a written response from the employee.

Mr. Peterson asked what happens with the position under the Human Service Zone Board system. Mr. Burdick said the Cass County Social Services Board will no longer exist after December 31, 2019.

Mr. Pawluk asked about the dates associated with the Interim Director position. The interim period is from January 1, 2020, to April 1, 2020. A permanent Zonal Director needs to be hired by April 2, 2020. Mr. Burdick said the permanent position may be hired any time within the period, but must be in place by April 2nd. There was discussion on whether the position will be a state or county employee. Mr. Ammerman said the Zonal Director will remain a county employee.

Mr. Ellingsberg asked about the process to hire a permanent Director. He understands that the position will be opened for candidates to apply, interviews will be held, and final approval will be given by the state.

Mr. Steen said based upon comments from Chris Jones, Executive Director of the North Dakota Department of Human Services, the contract with Mr. Ammerman needs to be terminated by December 31st. Mr. Jones also recommends that Mr. Ammerman be appointed as the Interim Director. The Zonal Director position would need to be advertised with final approval of the position to be given by the Department of Human Services.

Mr. Burdick said the Interim Director may choose to apply for the Zonal Director position, and if not chosen, would be granted a different position within the department.

Mr. Ellingsberg asked if Mr. Ammerman is agreeable to termination of his current contract and appointment as the Interim Director. Mr. Ammerman said he is agreeable to both.

II. Human Service Zone Agreement

There was discussion by board members regarding the Human Service Zone Agreement. Mr. Breitling pointed out two grammatical errors and discussed staggering the terms of the board members.

Mrs. Scherling said the current agreement includes the names of Members Chad Peterson, Rick Steen, Mary Scherling, Duane Breitling, Ken Pawluk, Brian Hagen, Glenn Ellingsberg, State Senator Judy Lee, State Senator Kristin Roers, and State Representative Ruth Buffalo. She questioned whether an advertisement could be done for some of the board members to allow individuals from different walks of life to apply and be considered.

Mr. Peterson said his wife is a former employee of Social Services. He said his job is to represent everyone, and he has no personal vendetta. He asked the board if they feel there is a conflict of interest in him voting on these issues, and is fine with abstaining from voting if the board wishes. Mr. Burdick read state law regarding this issue. The board members do not feel there is a conflict of interest and do not have concerns with Mr. Peterson voting on issues.

Mrs. Scherling made a motion to submit the names of current Social Service Board Members Chad Peterson, Rick Steen, Mary Scherling, Duane Breitling, Ken Pawluk, Brian Hagen and Glenn Ellingsberg for the Human Service Zone Board with staggering terms and to correct two typographical errors as outlined by Mr. Breitling. Mr. Steen seconded it.

Discussion: There was discussion on staggering the board member terms and it was recommended as follows: Mr. Peterson, Mrs. Scherling and Mr. Pawluk would serve one year; Mr. Hagen and Mr. Ellingsberg would serve two years; and Mr. Steen and Mr. Breitling would serve three years.

Mr. Ammerman said the attorney for the Department of Human Services recommends the reasons for the selection and qualifications of each board member be included in the agreement, specifically how the members are chosen representative of the needs and interest of county residents, and to outline the position, length of service, and district represented for elected officials.

Motion carried.

III. Termination of Employment Agreement and Interim Director Appointment

Mr. Steen made a motion to submit a letter to Chip Ammerman to terminate the employment agreement between him and the Cass County Social Service Board effective December 31, 2019, and to appoint Mr. Ammerman as the Interim Director. Mr. Ellingsberg seconded it.

Discussion: Mr. Steen discussed what actions the board is allowed to take regarding a performance plan to address problems within the department. Mr. Pawluk wants to see the most qualified person be hired as the permanent Director.

Motion carried.

Mr. Steen said according to Mr. Jones, it was not appropriate under the merit system for Mr. Ammerman to develop his own performance improvement plan for the issues that were raised in the Child Protection Services Unit. The plan should have been created by either the County Administrator or Portfolio Commissioner. He suggested this item be scheduled for discussion at the December 2nd Social Services Board meeting.

Mrs. Scherling said an advertisement will be needed for the three remaining Human Service Zone Board members. She also said Senator Lee, Senator Roers and Representative Buffalo need to be contacted to let them know the board will be considering other applicants.


Mr. Peterson and Mr. Ammerman will contact the legislators to inform them of the board's decision.

IV. Adjournment

Mrs. Scherling made a motion to adjourn the meeting at 2:05 p.m. Mr. Ellingsberg seconded it. Meeting adjourned.



Chad Peterson, Chair
Cass County Social Services Board



Heather Worden, Recorder