

**CASS COUNTY HUMAN SERVICE ZONE BOARD MEETING**  
**February 18, 2020**

**MINUTES**

With quorum present, Chair Steen called the meeting to order at 1:01 p.m.

**Present:** Duane Breitling, Glenn Ellingsberg, Brian Hagen, Ken Pawluk, Chad Peterson, Mary Scherling (by phone), Rick Steen

**Presenter:** Robert Wilson, County Administrator; Pearl Ferguson, Zone Director Applicant

**I. Permanent Zone Director**

Mr. Robert Wilson sent a memorandum to the Zone Board members on February 15, 2020. This memo was distributed and reviewed. Mr. Wilson stated a panel consisting of Rick Steen, Mary Scherling, Duane Breitling, Robert Wilson, and two representatives from the Department of Human Services, Chris Jones and Marcie Wuitschick, completed interviews on five candidates. The panel reviewed the scores of the top three individuals and made a recommendation to hire Pearl Ferguson. This recommendation was approved by the Department of Human Services. At that time, reference checks for Ms. Ferguson began, as well as a background check completed by the Sheriff's Department. Discussion with Ms. Ferguson began to determine a starting wage and a start date. After negotiation, it was agreed the starting salary would be \$101,425 per year, which is in alignment with the Department of Human Services salary scale and the county salary scale. Mr. Wilson is recommending the Zone Board appointment Ms. Ferguson as Cass County Human Service Zone Director.

Mr. Steen requested additional information be shared regarding the advertising of the Zone Director position, due to concerns raised at the meeting on February 3, 2020. Mr. Wilson stated additional information was gathered from the Department of Human Services, which indicated the position was posted on the State of North Dakota website. In addition, all positions are shared with various job boards for a broader recruitment effort for potential applicants. Mr. Steen shared Pearl Ferguson ranked the highest of those scored for both the Cass County representatives and the Department of Human Service representatives. Her score was 46.2 with the next candidate score of 31.7. Mr. Jones and Ms. Wuitschick were in agreement with the recommendation to hire Ms. Ferguson.

Mr. Steen requested Ms. Pearl Ferguson share her experience with those present. Ms. Ferguson stated she has completed a Bachelor's Degree, a Master's Degree in Organizational Leadership, a Master's Degree in Health Care Administration, and is currently finishing a Ph.D. in Organizational Development and Leadership. She has worked in a number of non-profit organizations including Catholic Charities and PACE and is currently a consultant.

Mr. Peterson asked Ms. Ferguson what, if anything, would be discovered upon completing a background check investigation and reference checks. Ms. Ferguson stated she had received a Minor in Possession, but had no other criminal record. She stated she believed her references would be truthful and honest.

Mr. Ellingsberg questioned the salary proposed and why the county scale was being used since the state is providing funding for Social Services. Mr. Steen stated the funding for the position is being provided by the state. However, this position is a county employee and therefore, the county scale is used as long as the wage is within the state pay scale range.

Mr. Pawluk made a motion to appoint Pearl Ferguson as the Cass County Human Service Zone Director effective March 16, 2020 with a salary of \$101,524 per year, pending the completion of reference and background checks. Duane Breitling seconded it. On a roll call vote, the motion carried unanimously.

## **II. Review of Social Service Report Recommendation**

Mr. Wilson reminded the Board members of the February 3, 2020 meeting where the report of the Social Service's Department completed by Ms. Monson was distributed and reviewed. At that time, the Board decided to delay discussing the recommendations of the report and called a special meeting for February 18<sup>th</sup> to continue discussion. Mr. Wilson distributed a memorandum that he sent to the Zone Board members on February 17<sup>th</sup> explaining the recommendations made by Ms. Pat Monson's report, which included four areas to be addressed. Those were identified as the Interim Zone Director, the Family Service Manager, the Child Protection Supervisor, and Training.

Mr. Wilson stated there has been discussion with the Human Resources staff at the Department of Human Services regarding policies that need to be followed. In consultation with the Commission and Board chairs, it was decided to issue pre-action letters to the Family Services Manager and the Child Protection Supervisor. Those letters included the concerns Ms. Monson had of those individuals, potential areas which could be included in a work improvement plan, and individuals who should be monitoring and evaluating any work improvement plan that is put in place. The pre-action letters also included options the board can take regarding the employee, which include no action, suspension, a work improvement plan, reassignment or termination. Mr. Wilson stated policy dictates those employees be provided five business days to respond to the pre-action letters; however, he has given them until March 9<sup>th</sup>. The decision regarding the recommendations will be placed on the March 16, 2020 board agenda for further action.

Mr. Ellingsberg requested a copy of the pre-action letters. Mr. Steen stated the letters will be distributed to board members. He also shared there was a process that needed to be followed and it was decided to not wait until the February 18<sup>th</sup> meeting and further delay the process.

Mr. Wilson stated there is also a recommendation in the report to complete training for all managers on manager/employee relationships. Mr. Peterson questioned whether the new Zone Director would have the ability to modify structure of the organization or change the roles of those who are in leadership positions. Mr. Steen stated his belief was the Zone Director would have the flexibility to do what is needed with board approval.

Mr. Ellingsberg shared he is not ready to vote on the recommendations of Ms. Monson because he believes the new Zone Director should have an opportunity to read the report, review the situation and provide a recommendation to the Zone Board. He does not believe the Board

should be directly involved. Mr. Pawluk stated he did not disagree with Mr. Ellingsberg but does not want to further delay, so is recommending following through with the pre-action process. Ms. Scherling stated the situation has been discussed with the Department of Human Service's staff and the process is being followed with their direction.

Mr. Steen reminded the board the pre-action letters have already been distributed to staff and they have until March 9<sup>th</sup> to respond. He stated the action the board needs to take today is either to defer action until the new director is in place and has an opportunity to review the situation and make recommendations or take action at the March 16<sup>th</sup> meeting.

Mr. Ellingsberg shared he was under the impression the purpose of the meeting was to review the recommendations and not to make formal action prior to doing so. He stated he just received the requested statistics from Ms. Monson's report on February 17<sup>th</sup> and finds some conclusions disturbing based on the stats he has reviewed. Mr. Ellingsberg stated he would be in favor of waiting for the Zone Director to review the information and implement the recommendations she believes are necessary.


Mr. Hagen stated there has been a lot of work completed to review the situation in Social Services and believes the Board should accept the recommendations and continue to move the process forward. Mr. Pawluk shared he is in favor of accepting the recommendations at this time, with the understanding the Board could take further action on March 16<sup>th</sup>. Mr. Steen provided further clarification to the Board on the pre-action process, which includes allowing those involve to have five days to react to the pre-action notice.

Mr. Pawluk made a motion to accept the recommendations in Ms. Monson's report which are further identified in the memorandum created by Robert Wilson and distributed to Board members on February 17, 2020. Mr. Peterson seconded the motion. On a roll call vote, Mr. Ellingsberg voted no, with all other members voting yes. Motion passed.

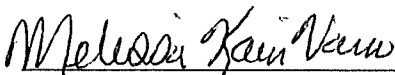
Mr. Steen stated the last remaining recommendation that needs to be address is concerning the Interim Zone Director and what position this individual may be placed into. Mr. Ellingsberg made a motion to allow the incoming director to determine the appropriate placement of the Interim Zone Director. Mr. Pawluk seconded the motion. Mr. Peterson reminded the Board members the State legislation required no person will lose employment but may be placed into a different role. One a roll call vote, the motion passed unanimously.

### III. Adjournment

Mr. Breitling made a motion to adjourn the meeting. Mr. Peterson seconded it. Motion carried. The meeting was adjourned at 1:44 p.m.



Rick Steen, Chair  
Cass County Human Service Zone Board



Melissa Kain Varno, Recorder