

**CASS COUNTY HUMAN SERVICE ZONE BOARD MEETING  
DECEMBER 07, 2020**

**MINUTES**

With quorum present, Director Mell called the meeting to order at 2:03 p.m.

**Present:** Chad Peterson, Mary Scherling, Rick Steen, Duane Breitling, Brian Hagen, Glenn Ellingsberg  
**Guest:** Robert Wilson, County Administrator and Jim Kapitan, Incoming County Commissioner  
**Absent:** Ken Pawlick  
**Presenter:** Pearl Mell, Human Services Zone Director  
(all present via Teams Meeting)

**I. Approval of Minutes**

Mr. Steen made a motion to approve the November 02, 2020 Board minutes. Ms. Scherling seconded it. Motion carried.

**II. Retirement**

Ms. Mell asked the board to take a moment to thank Mr. Ellingsberg for his service as a board member since 2016. He first served with the Cass County Sheriff's department and then continued his service with Cass County as a board member. He will remain a member of the board until Dec 31, 2020. Mr. Ellingsberg was thankful for the kind remarks and stated it has been a pleasure to serve Cass County.

**III. Human Service Zone Personnel Policies**

Ms. Mell reported all zones have been working collaboratively with state HR to create a Human Service Policy Manual. The policies have been primarily dictated by law but allows for addendums to address differences between zones on the county level. In reviewing those policies with Cindy Stoick, Director of HR for Cass County, it was assured there was continuity with the Cass County since the Human Service Zone employees are county and it is important to assure continuity with the Human Service Zone employees and other county employees. Mr. Steen noted a duplication whereas the employee assistance program is listed twice. Ms. Mell assured the policies would be reviewed to assure the duplication makes sense. Mr. Steen also noted retirement was mentioned in Chapter 4 and Chapter 5. Ms. Mell called on Ms. McIntyre to explain why there would be a repeat. Ms. McIntyre stated she did not have the policy in front of her but clarified repeats may occur if a benefit needs to be addressed more than once such as how benefits are deducted and what benefits are available. Ms. McIntyre stated she would work with Ms. Mell to assure any repeats are appropriate and accurate.

Mr. Ellingsberg asked if there needs to be section in the Employee Handbook to address contractors working for the Human Service Zone and the requirement for them to follow the employee policies in reference to substance abuse policies and other appropriate policies. Ms. Mell stated she would need to follow up. No discussions regarding contractors have been addressed in the discussions on the policy manual. Ms. Mell assured the board she has worked

with the States Attorney's Office on any contracts to assure such issues are addressed. Mr. Ellingsberg wants to assure contractors are covered somewhere, whether it be the contract or in the employee policy manual.

Ms. Mell brought up the Infant at Work Program outlined as part of the Human Zone Policies. As a Zone we do not currently provide an addendum for this policy but we can opt-in or opt-out of the program. The choice to opt-in or out now can be changed at a later date. The policy reads:

"An infant, under six months of age, may accompany his or her parent to the office during normal work hours with prior approval from the Zone Director as well as the Human Service Zone's Human Resource Director or Designee via email. The Infant At Work Request Form (SFN 54321) must be filled out and submitted to the Zone Director or Zone Designee for consideration of bringing the infant to work."

Mr. Wilson reported the personnel committee reviewed the policy a year ago to decide if the county would like to integrate this policy into their policy. The feedback at that time was to not implement a similar policy. Ms. Scherling agreed this was discussed but things have changed and with the pandemic there may be issues getting childcare. It may be wise now to consider the option at this time. Mr. Peterson suggested proceeding with this policy should be county wide and not just Human Services to assure parity between departments. Ms. Mell stated as a person of childbearing age this option is appealing and with the majority of the staff females, along with the impact of the pandemic on women in the workplace, there are some definite issues to consider but she does agree with Mr. Peterson a county wide consideration may be the best approach so the zone can opt in at a later date. Mr. Steen agreed more input should be gathered from the other department heads and the Personnel Overview Committee. This affects not only the employees who bring their children to work but also the employees who work near them. Ms. Mell clarified a future opt-in to the policy would require the zone to follow the plan as it is directed. There is no opportunity to have an addendum to this policy. Ms. Scherling believes the only option at this time is to opt-out until a future date when the county may choose to agree on an Infant at Work Policy.

Ms. Scherling made a motion to opt-out at this time. Mr. Steen second the motion.

Roll call: Mr. Hagen, Yes. Mr. Steen, Yes. Mr. Peterson, Yes. Mr. Breitling, Yes. Ms. Scherling, Yes. Mr. Ellingsberg, Yes. Ms. Mell, Yes. Motion carried.

Mr. Steen made a motion to move to utilize the Cass County Policies as addendums wherever allowed in the Human Service Zone Personnel Policies Manual. Mr. Breitling second the motion.

Roll call: Mr. Hagen, Yes. Mr. Steen, Yes. Mr. Peterson, Yes. Mr. Breitling, Yes. Ms. Scherling, Yes. Mr. Ellingsberg, Yes. Ms. Mell, Yes. Motion carried.

#### **IV. Compensation of Board Members**

Ms. Mell reported Chapter 50-01.2 County Social Service Boards states the Human Service Board shall compensate members at a rate established by the host county commission. Ms. Mell reached out to two single county zones to find out what they are compensating members. She learned Ward and Grand Forks counties compensate their board members at \$50 per meeting

plus mileage. Prior to this meeting, Mr. Wilson and Ms. Mell discussed and would like to make a recommendation to the county commission to establish a rate per meeting and acceptance of mileage for approval. Mr. Wilson gave some background and stated there may be a slight issue. Later today at the board meeting the commission is going to consider a per diem policy. Mr. Wilson was originally concerned there would be two different policies which may conflict with one another. It appears that will not be a problem. Whatever is done there is some statutory language which needs to be in place for 2020 to consider some retroactive language to cover all meetings in 2020. Mr. Ellingsberg asked what the commission will hear this afternoon, what rates are being considered. Mr. Wilson confirmed the commission is going to consider no payment or per diem for commission day activities, (board meetings, commission meetings), with the exception of Human Service Zone related activities. The other meetings would be \$100 per day with exclusions for constituent meetings, employees, department heads etc. This is a draft policy. Mr. Ellingsberg requested clarification as to how these payments would relate to those who are not on the commission. Mr. Steen clarified each meeting would be treated as their own since they are separate boards. Mr. Scherling likes the idea of tying the number to something. If the rule is it cannot exceed the compensation of the legislative assembly then keep it the same and reimburse at that level. Then it changes along with the legislative assembly. Mr. Peterson clarified the per diem rate for legislature is \$180 per day, but that is a full day. Ms. Mell clarified this issue came up along with the county commissioner per diem, but they are two separate issues. So, if your role is associated with county commission related activities and you happen to also be involved in the Human Service Zone Board than you would receive your payment for each meeting. The only area which these overlaps is the requirement according to Chapter 50-01.2 which states the county commission needs to establish the rate. Ms. Mell proposes to adopt \$50 per meeting plus mileage for all Human Service Zone Board meetings and have this proposal go to the county commission with payment retroactive for all of 2020 and through Dec 2021. This can be revisited in future meetings. Ms. Mell will invoice for meetings occurring in 2020.

Mr. Peterson made a motion to bring the proposal of \$50 per meeting plus mileage for all Human Service Board meetings to the county commissioners. Mr. Steen second the motion.

Roll call: Mr. Hagen, Yes. Mr. Steen, Yes. Mr. Peterson, Yes. Mr. Breitling, Yes. Ms. Scherling, Yes. Mr. Ellingsberg, Yes. Ms. Mell, Yes. Motion carried.

**V. Zone Director Performance Appraisal**

Ms. Mell sat on the committee who developed the Human Service Zone Annual Performance Review forms. Ms. Mell asked for a volunteer to act as the Zone Board Coordinator of information to oversee the completion of the zone director performance appraisal. This will allow for solicitation of information from zone board members while honoring the open meeting requirements. The first step is for Ms. Mell to complete a self-evaluation. She will then submit this evaluation to the coordinator who will act as a liaison to gather feedback from the other zone board members. In addition, the state committee which includes Ms. Sara Stolt, Ms. Kristen Hasbargen, Ms. Amy Erickson, Ms. Alicia Baumann, and Ms. Laurel Sehn, are meeting tomorrow to also provide feedback to the liaison. All the information will be consolidated and then presented to Ms. Mell in an open meeting. The requirement was to have this completed by

December 31, 2020 but Ms. Mell asked for an extension since she has not been employed for 12 months. The extension was granted, and the evaluation can be reported at the January 4, 2021 board meeting and will not require a special meeting in December. It is realistic to complete the process in the next 3.5 weeks. Mr. Steen asked for clarification on the requirement to have any information exchange on the evaluation publicly reported. Ms. Alicia Baumann, State of ND HR, stated the designated person can reach out individually to other members so it does not meet open meeting criteria. Ms. Mell clarified the individual contacts information will all be collectively reported on the evaluation so they ultimately will become open records. Mr. Ellingsberg clarified the liaison can not send out an all-inclusive email but if they reach out individually it would not constitute a meeting. This first evaluation would assess performance against core job functions vs past goals since there is not enough history in Ms. Mell's experience with the county. Mr. Steen offered as the 2020 Portfolio Liaison; he is willing to take on the roll of coordinating the process as the liaison. Ms. Scherling asked why county HR should not complete the task. Ms. Mell clarified it should be a board member since the board is who she reports to.

Mr. Steen made a motion to act as liaison for the review process. Mr. Breitling second the motion. Motion carried.

**VI. Special Meetings**

In the month of December will not be necessary since an extension was granted for Ms. Mell's review.

**VII. The Appointment of Members**

Ms. Mell reported the terms of members expiring include, Mr. Peterson, Mr. Pawluk and Ms. Scherling. They all had one-year terms which expire December 31, 2020. Mr. Peterson and Ms. Scherling were re-elected, and Mr. Kapitan has started his term as commissioner so there should be a discussion in regard to recommendations to the county commissioners for their meeting this afternoon to evaluate zone board membership. Going forward there should be a process established for the board to make recommendations and to bring those forward to the county commissioners. According with what is written in the social services board document, chapter 50-01, it does state individual terms expire once their successor has been appointed, so this discussion can wait until January 2021. Mr. Steen suggested the board wait until January 4, 2021. There are easy re-appointments, but the board should consider additional people other than commissioners. Mr. Steen believes it is recommended, on the commission's agenda, to approve committee assignments and it is recommended Mr. Peterson and Ms. Scherling be appointed to three year terms with the intention to ask Mr. Kapitan if he is interested in serving on the Zone Board Committee as well. Once those positions are established it is good to have identify some additional community partners and possibly legislatures join the board. Mr. Kapitan acknowledges and is willing to serve on the board. Mr. Steen feels the board has nothing more to do today. Ms. Scherling asked about the makeup of the board and the terms of the commissioners to the board. Mr. Steen clarified the terms for the commissioners are staggered to allow for consideration of continuation of membership or adding new members. Mr. Steen did ask if Ms. Scherling and Mr. Peterson are interested in staying on the board. Ms.

Scherling and Mr. Peterson both agreed they would like to continue. Ms. Scherling suggested considering a citizen and a rural member to help represent the rural population. Mr. Steen agreed and believes early 2021 is a good time to expand the efforts for adding members. Ms. Mell reviewed the zoned agreement and confirmed Mr. Peterson, Mr. Pawluk and Ms. Scherling had terms expiring within a year on December 31, 2020. It was confirmed Mr. Peterson and Ms. Scherling will retain their positions with a new three-year term. Mr. Hagen and Mr. Ellingson had two-year terms. Mr. Ellingson is resigning his position effective December 31, 2020 and Mr. Hagen's term expires December 31, 2021. Mr. Breitling and Mr. Steen had three-year terms expiring December 31, 2022. Ms. Mell stated there is now a choice to make. Either the board remains commission majority with 5 commissioners plus Ms. Mell or the board begins to integrate community representatives. With Mr. Hagen possibly leaving in a year this would leave the board with five commissioners and no community members for the next three years if we do not increase the number of members. There may need to be a consideration to increase the number of chairs to have community representation. Mr. Steen believes new members should be brought on before the current members leave. There should be a decision made on the make-up of the board. Mr. Peterson feels the three commissioner and five citizens is a good number which with Ms. Mell would allow an odd number for voting. Ms. Mell stated the goal for January is to start identifying future members.

**VIII. Adjournment**

Mr. Steen made a motion to adjourn the meeting at 3:17 p.m. Ms. Breitling seconded. Motion carried.



Pearl Mell, Zone Director  
Cass County Human Services Zone Board



Marla McIntyre, Recorder